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8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**  
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11 CARL ZEISS VISION INTERNATIONAL  
12 GMBH and CARL ZEISS VISION INC.,

13 Plaintiffs,

14 vs.

15 SIGNET ARMORLITE, INC.,

16 Defendant.  
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19 **AND ALL RELATED COUNTERCLAIMS.**  
20

CASE NO. 07cv0894 DMS (POR)

**ORDER DENYING PLAINTIFFS'  
MOTION FOR SANCTIONS  
PURSUANT TO FED. R. CIV. P. 11**

**[Docket No. 405]]**

21 This matter comes before the Court on Plaintiffs' motion for sanctions pursuant to Federal  
22 Rule of Civil Procedure 11. Defendant filed an opposition to the motion, and Plaintiffs filed a reply.

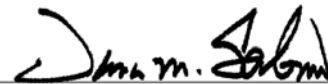
23 "Rule 11 requires the imposition of sanctions when a motion is frivolous, legally unreasonable,  
24 or without factual foundation, or is brought for an improper purpose." *Conn v. Borjorquez*, 967 F.2d  
25 1418, 1420 (9th Cir. 1992) (citing *Operating Engineers Pension Trust v. A-C Company*, 859 F.2d  
26 1336, 1344 (9th Cir. 1988)). In determining whether a claim is frivolous or brought for an improper  
27 purpose, the standard is one of objective reasonableness. *See id.* at 1421. "If, judged by an objective  
28 standard, a reasonable basis for the position exists in both law and fact at the time the position is  
adopted, then sanctions should not be imposed.'" *See id.* (quoting *Golden Eagle Dist. Corp. v.*  
*Burroughs Corp.*, 801 F.2d 1531, 1538 (9th Cir. 1986). The central purpose of the rule is to deter

1 baseless filings in district court and streamline administration and procedure of the federal courts. *See*  
2 *Cooter & Gell v. Hartmarx Corp.*, 496 U.S. 384, 393 (1990). The Ninth Circuit has held: “Rule 11  
3 is an extraordinary remedy, one to be exercised with extreme caution.” *See Operating Engineers*, 859  
4 F.2d at 1345.

5 Plaintiffs here have not demonstrated that Defendant’s conduct was objectively unreasonable.  
6 Accordingly, their motion for Rule 11 sanctions is denied.

7 **IT IS SO ORDERED.**

8 DATED: March 1, 2010

A handwritten signature in black ink, appearing to read 'Dana M. Sabraw', is written over a horizontal line.

HON. DANA M. SABRAW  
United States District Judge