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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

F.C.V., INC.,

Plaintiff,

v.

STERLING NATIONAL BANK,

Defendant.

Case No. 08MC00400-JMA

**ORDER TERMINATING CASE AND
DENYING MOTION TO QUASH AS
MOOT (DOC. NO. 4)**

This case was referred to the undersigned on June 16, 2011, after the filing of a Motion to Quash Subpoena by Eskeland & Ettafagh Dental Corp. and Steven Eskeland, who are identified by Sterling National Bank as being subject to a default judgment that was entered by the U.S. District Court, District of New Jersey on February 28, 2007 in *F.C.V., Inc. v. Sterling National Bank*, 04CV05035-DMC-MF. After reviewing the case filings, the Court finds the default judgment from the District of New Jersey was filed in error and fails to meet the appropriate requirements for registering a judgment in the United States District Court, Southern District of California.


In order to register the judgment of another Federal District Court, the Clerk of the Court for the district where the judgment was entered must complete A.O. Form 451, entitled CLERK'S CERTIFICATION OF A JUDGMENT TO BE REGISTERED IN ANOTHER DISTRICT and attach thereto a certified copy of the judgment, which then

1 may be registered in any district in which the judgment is a lien. 28 U.S.C. § 1963.
2 Sterling National Bank filed A.O. Form 132, entitled EXEMPLIFICATION CERTIFICATE,
3 which does not register the judgment it now seeks to enforce in this district. (Doc. No.
4 1.) Because the judgment has not been properly registered, the Court lacks jurisdiction
5 to enforce it. The Clerk's Office is directed, therefore, to terminate the case and the
6 Motion to Quash Subpoena is denied as moot.

7 If Sterling National Bank wishes to proceed, it must correctly file and register with
8 this Court the judgment from the United States District Court, District of New Jersey. If
9 counsel has questions or requires assistance, please contact the Clerk's Office for the
10 Southern District of California at 619-557-5600.

11 **IT IS SO ORDERED.**

12 DATED: June 22, 2011

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14 Jan M. Adler
15 U.S. Magistrate Judge
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