

1 registration forum.” See, e.g., *Columbia Pictures Television, Inc. v. Krypton Broadcasting of*
2 *Birmingham, Inc.*, 259 F.3d 1186, 1198 (9th Cir. 2001).

3 Plaintiff’s motion seeks leave to register the sanctions award “in foreign districts . . . where
4 AE Tech has customers or where other assets can be located.” Mot. at 4; see also *id.* at 3 (“good
5 cause exists to allow Aevoe to register the judgment in foreign U.S. districts”). Plaintiff specifies in
6 reply that it seeks leave to register the sanctions award in New Jersey, Minnesota, New York and
7 Florida. See Reply at 2.² Plaintiff presented some evidence that AE Tech has customers based in
8 those four states. See Oh Decl. ¶ 5 (Docket No. 191). But Plaintiff cites no authority that the mere
9 fact that customers are based in a jurisdiction is sufficient to show the existence of “substantial
10 assets” there for purposes of registering a judgment.³ Although the Court has some “leeway” in
11 finding good cause, based on the papers before it, the Court declines to find Defendant has
12 “substantial assets” in the specified jurisdictions.

13 For the first time in reply, Plaintiff seeks an order from the Court requiring Defendant to
14 testify at a judgment debtor examination. See Reply at 6. Because the issue was not raised in the
15 moving papers, the Court declines to address it. See *Bazuaye v. I.N.S.*, 79 F.3d 118, 120 (9th Cir.
16 1996) (per curiam) (declining to address issue raised for the first time in reply brief).

17 For the reasons discussed above, Plaintiff’s motion to register sanctions is **DENIED**.

18 IT IS SO ORDERED.

19 DATED: April 23, 2013

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21 _____
NANCY J. KOPPE
United States Magistrate Judge

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23 ² Ordinarily, the Court would find significant Defendant’s failure to dispute that property exists
24 in a particular jurisdiction. See *Columbia Pictures*, 259 F.3d at 1198. In this instance, however, the
25 motion was not sufficiently clear as to the jurisdictions at issue to enable Defendant to dispute the
existence of property in those jurisdictions.

26 ³ The reply brief cites two cases for the proposition that “the Court [may find] that AE Tech has
27 substantial assets in the districts where its customers are located.” See Reply at 3 (citing *In Re Tabiban*,
28 289 F.2d 793, 796 (2d Cir. 1961) and *Howard v. United States*, 711 F.2d 729, 732 (5th Cir. 1983)).
Neither of these cases involves registering a judgment and neither infers the existence of substantial
assets based on a customer being based in a particular state.