

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON

Case No. 3:15-cv-00496-BR

Date: June 9, 2015

Case Title: **Gakuba v Hollywood Video, Inc. et al**

Presiding Judge: **Anna J. Brown**

Courtroom Deputy: **Bonnie Boyer**

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**DOCKET ENTRY:** Order

This matter comes before the Court on Plaintiff's Motion (#52) to Strike Defendant Illinois Attorney General's Motion to Dismiss, Plaintiff's Motion (#53) for Summary Judgment, and Plaintiff's Motion (#54) for Reconsideration of Order (#49) Denying Appointment of Pro Bono Counsel.

The Court **DENIES** Plaintiff's Motion (#52) to Strike Defendant's Motion (#47) to Dismiss. The Illinois Attorney General filed its Motion to Dismiss on May 4, 2015, less than 21 days after Plaintiff filed his Second Amended Complaint on April 20, 2015. *See* Fed. R. Civ. P. 12(a). Accordingly, the Illinois Attorney General's Motion to Dismiss was timely.

The Court **DENIES** Plaintiff's Motion (#54) for Reconsideration of the denial of appointment of *pro bono* counsel. The Court is aware of Plaintiff's incarceration. As the Court noted in its Order (#49) issued May 11, 2015, there do not appear to be any issues before the Court on which counsel could provide any material benefit to Plaintiff. In the event such issues arise in the future, the Court will endeavor to locate *pro bono* counsel to represent Plaintiff.

The Court **HOLDS IN ABEYANCE** Plaintiff's Motion (#53) for Summary Judgment until after the Court has resolved the Illinois Attorney General's Motion (#47) to Dismiss and, if necessary, any dispositive motion that may be filed by the U.S. Department of Justice. After the Court resolves the parties' Rule 12 motions, the Court will, if necessary, set a briefing schedule on Plaintiff's Motion (#53) for Summary Judgment.

In light of the repetitive motions filed by Plaintiff in this matter and the need to efficiently resolve motions to dismiss and proceed with this action, the Court will not consider any additional motions filed by Plaintiff until the Court has resolved the Illinois Attorney General's Motion (#47) to Dismiss and any dispositive motion that may be filed by the U.S. Department of Justice. In the event the U.S. Department of Justice files a dispositive motion, Plaintiff will be permitted to respond and, if necessary, to move for an extension of time to respond to any such motion.