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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

SOARING HELMET CORPORATION, a
Washington corporation,

Plaintiff,

v.

NANAL, INC., a Nevada corporation, d/b/a
LEATHERUP.COM, and GOOGLE, INC., a
Delaware corporation.

Defendants.

NO. C09-0789 JLR

PRAECIPE

TO: Clerk of the Court;

On October 19, 2009, Response to Motion of Defendant Nanal, Inc. to Set Aside
Default was filed with the Court. Due to a pagination error on the Response two page
nines were submitted without a page ten. Attached are the corrected pages nine and ten to
the Response.

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DATED October 23, 2009.

INVICTA LAW GROUP, PLLC

By Heather Morado

Heather M. Morado, WSBA No. 35135

Mark V. Jordan, WSBA No. 18461

Stacie Foster, WSBA No. 23397

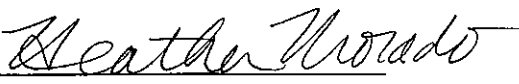
Attorney for Plaintiff

1 As a result of Defendant's conduct, Soaring Helmet was forced to incur
2 additional attorney fees in researching the identity of Defendant, filing its Amended
3 Complaint, demanding a proper response to the complaint on numerous occasions, and
4 in finally drafting its Motion for Entry of Default against Defendant. In addition,
5 Soaring Helmet generously gave Defendant 5 days notice of the Motion for Entry of
6 Default notwithstanding the facts that: 1) Defendant had already been notified of
7 Plaintiff's intent to file the Motion for Entry of Default several times; 2) Mr.
8 Mokhtarzadeh never entered a notice of appearance in this case; and 3) Defendant had
9 established a pattern of engaging in bad faith, dilatory behavior. Soaring Helmet had
10 no choice but to file the Motion for Entry of Default under the circumstances. As a
11 result of Defendant's culpable and dilatory conduct, equity supports an award of
12 Soaring Helmet's attorneys fees and costs.

13
14 Plaintiff respectfully requests the court to enter judgment for Plaintiff's reasonable
15 attorneys' fees in the amount of \$8,456.00. Morado Dec., ¶ 11-16. The costs and fees
16 requested are an extremely conservative allocation of the total costs incurred to date in
17 this matter. Morado Dec., ¶ 16. A proposed order is submitted herewith.

18 RESPECTFULLY SUBMITTED this 19th day of October 2009.

19
20 INVICTA LAW GROUP, PLLC

21 BY: 
22 Stacie Foster, WSBA No. 23397
23 Steve Edmiston, WSBA No. 17136
Heather M. Morado, WSBA No. 35135
Attorneys for Plaintiff Soaring Helmet Corp.

