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GUEST-TEK INTERACTIVE
15 ENTERTAINMENT LTD.

16
17 IN THE UNITED STATES DISTRICT COURT
18 FOR THE CENTRAL DISTRICT OF CALIFORNIA
19 WESTERN DIVISION

20
21 NOMADIX, INC.,

22 Plaintiff,

23 v.

24 GUEST-TEK INTERACTIVE
25 ENTERTAINMENT LTD.,

26 Defendant.
27

Case No.
CV16-08033 AB (FFMx)

**STIPULATION TO RESET
GUEST-TEK'S DEADLINE
TO RESPOND TO
COMPLAINT**

Honorable André Birotte Jr.

28

1 **BACKGROUND**

2 Plaintiff Nomadix filed the complaint in this action on October 28, 2016. On
3 November 1, Nomadix’s counsel sent Defendant Guest-Tek Interactive
4 Entertainment’s U.S. counsel at Baker & Hostetler LLP a copy of the complaint
5 and asked whether Guest-Tek, a company located in Alberta, Canada, would
6 accept service of process through Baker & Hostetler. Guest-Tek did not agree to
7 accept service of process through Baker & Hostetler.

8 Nomadix took steps to effect service in accordance with the Hague
9 Convention on the Service Abroad of Judicial and Extrajudicial Documents in
10 Civil or Commercial Matters. The Alberta Central Authority issued a certificate of
11 service certifying that Guest-Tek was served with the complaint and summons on
12 January 12, 2017. Nomadix filed this certificate as part of its proof of service.
13 (Dkt. No. 17.) On February 10, 2017, as Guest-Tek had not responded to the
14 complaint, Nomadix requested entry of default against Guest-Tek. (Dkt. No. 19.)

15 In a pending opposition to Nomadix’s request for entry of default, Guest-
16 Tek asserts that (1) it did not receive any packages or deliveries on January 12,
17 2017, (2) it received a package on January 13, but the circumstances of the
18 delivery led Guest-Tek to call law enforcement, who eventually detonated the
19 package, and (3) Guest-Tek did not become aware of Nomadix’s proof-of-service
20 filing or request for entry of default until February 14. (Dkt. No. 22.)

21 **STIPULATION**

22 In view of the foregoing, the parties stipulate as follows:

- 23 1. Nomadix withdraws its request for entry of default.
24 2. Guest-Tek does not contest the sufficiency of process or service of
25 process.
26 3. Guest-Tek’s deadline for responding to the complaint shall be reset to
27 March 10, 2017.
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Respectfully submitted,
KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: March 6, 2017

/s/ Mark Lezama
Douglas G. Muehlhauser
Mark Lezama
Alexander J. Martinez

Attorneys for Plaintiff
NOMADIX, INC.

BAKER & HOSTETLER LLP

Dated: March 6, 2017

/s/ Michael R. Matthias (with permission)
Michael R. Matthias
F. Lucas Paule

Attorneys for Defendant
GUEST-TEK INTERACTIVE
ENTERTAINMENT LTD.

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IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

NOMADIX, INC.,

Plaintiff,

v.

GUEST-TEK INTERACTIVE
ENTERTAINMENT LTD.,

Defendant.

Case No.

CV16-08033 AB (FFMx)

**[PROPOSED] ORDER
APPROVING STIPULATION
TO RESET GUEST-TEK'S
DEADLINE TO RESPOND TO
COMPLAINT**

1 Having considered the parties' Stipulation to Reset Guest-Tek's Deadline to
2 Respond to Complaint, and finding good cause therefor, the Court approves the
3 stipulation.

4 1. Plaintiff Nomadix's request for entry of default (Dkt. No. 19) is
5 deemed withdrawn.

6 2. It is established that Defendant Guest-Tek Interactive Entertainment
7 does not contest the sufficiency of process or service of process.

8 3. Guest-Tek's deadline for responding to the complaint is reset to
9 March 10, 2017.

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12 **IT IS SO ORDERED.**

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14 Dated:

Honorable André Birotte Jr.