

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Aqua Connect, Inc.,)	CV 11-5764 RSWL (MANx)
)	
Plaintiff,)	ORDER re: Plaintiff's Ex
)	Parte Application to
v.)	Advance and Deny, or, in
)	the Alternative,
)	Continue Defendants'
Code Rebel LLC, Arben)	Motion for Summary
Kryeziu, Volodymyr Bykov)	Judgment [117]
a/k/a Vladimir Bickov, and)	
Does 1 through 300)	
inclusive,)	
)	
Defendants.)	
)	

19 Currently before the Court is Plaintiff Aqua
20 Connect, Inc.'s ("Plaintiff") Ex Parte Application to
21 Advance and Deny, or, in the Alternative, Continue
22 Defendants' Motion for Summary Judgment [117]. Having
23 considered the Application and the Opposition filed by
24 Defendants Code Rebel LLC et al. ("Defendants"), **THE**
25 **COURT NOW FINDS AND RULES AS FOLLOWS:**

26 The Court hereby **DENIES** Plaintiff's Ex Parte
27 Application. The Court notes that this is Plaintiff's
28 second consecutive ex parte application seeking to

1 avoid filing an opposition to Defendants' pending
2 motions. As with the Court's previous denial of
3 Plaintiff's Ex Parte Application to Strike and/or
4 Advance and Deny Defendants' Motion re Spoilation
5 [124], Plaintiff has not shown good cause as to why ex
6 parte relief is necessary here and how Plaintiff would
7 be prejudiced if required to file an opposition to
8 Defendants' Motion for Summary Judgment [102]. The
9 arguments made in Plaintiff's present Ex Parte
10 Application are more appropriate for an opposition to
11 Defendants' Motion for Summary Judgment. Accordingly,
12 Plaintiff's Ex Parte Application is **DENIED**.

13
14 **IT IS SO ORDERED.**
15 DATED: June 14, 2013

16
17 RONALD S.W. LEW
18

HONORABLE RONALD S.W. LEW
19 Senior, U.S. District Court Judge
20
21
22
23
24
25
26
27
28