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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

Facebook, Inc.,
Plaintiff,
v.
Power Ventures, Inc., et al.,
Defendants.

NO. C 08-05780 JW

**ORDER GRANTING DEFENDANT
POWER VENTURES' MOTION FOR
LEAVE TO FILE MOTION FOR
RECONSIDERATION**

Presently before the Court is Defendant Power Ventures' Motion for Leave to File a Motion for Reconsideration.¹ To date, no opposition to the Motion has been filed.

Defendant Power Ventures seeks leave to file a Motion for Reconsideration of the Court's August 8, 2012 Order² striking Defendant Power Ventures' Answer to Plaintiff's Complaint and directing the Clerk of Court to enter default as to Defendant Power Ventures. (Motion at 1.) The Court ordered an entry of default because Defendant Power Ventures had failed to retain counsel as ordered by the Court, and was prohibited from proceeding *pro se* due to its corporate status. (August 8 Order at 3.) Defendant Power Ventures requests leave to seek reconsideration on the


¹ (Motion for Leave to File Motion for Reconsideration, hereafter, "Motion," Docket Item No. 318.)

² (See Order Striking Defendant Power Ventures' Answer; Granting Defendant Vachani Additional Time to Secure Counsel, hereafter, "August 8 Order," Docket Item No. 314.)

1 ground of a material change in fact, because Defendant Power Ventures has now retained substitute
2 counsel and a notice of appearance has been filed.³

3 Upon review, the Court finds that Defendant Power Ventures' retention of counsel
4 constitutes a change in material facts that warrants granting Defendant Power Ventures leave to file
5 a motion for reconsideration. Accordingly, the Court GRANTS the Motion for Leave to File a
6 Motion for Reconsideration. In light of the Court's impending retirement,⁴ the Court finds good
7 cause to consider the anticipated Motion on an expedited basis. On or before **August 23, 2012**,
8 Defendant Power Ventures shall file its Motion for Reconsideration. On or before **August 27, 2012**,
9 Plaintiff shall file its Opposition. Upon completion of briefing, unless otherwise ordered, the matter
10 will be deemed submitted without oral argument. See Civ. L.R. 7-1(b).

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12 Dated: August 21, 2012



JAMES WARE
United States District Chief Judge

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25 ³ (See Docket Item No. 316.)

26 ⁴ On April 28, 2012, Chief Judge Ware announced that he plans to "retire in August 2012 as
27 the terms of his current law clerks come to an end." See Chief Judge Ware Announces Transition,
28 *available at* <http://www.cand.uscourts.gov/news/82>.

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

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Dated: August 21, 2012

Richard W. Wieking, Clerk

By: /s/ JW Chambers
William Noble
Courtroom Deputy