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15 Attorneys for Defendants
16 Matthew Katzer and Kamind Associates, Inc.

17 UNITED STATES DISTRICT COURT
18 NORTHERN DISTRICT OF CALIFORNIA
19 SAN FRANCISCO DIVISION

20 ROBERT JACOBSEN, an individual,)
21)
22 Plaintiff,)
23)
24 vs.)
25)
26 MATTHEW KATZER, an individual, KAMIND)
ASSOCIATES, INC., an Oregon corporation dba)
KAM Industries,)
Defendants.)

Case Number C06-1905-JSW
Hon. Jeffrey S. White

**DEFENDANTS' RESPONSE TO
PLAINTIFF'S ADMINISTRATIVE
MOTION RE: SCHEDULING**

27 Defendants intend to respond to plaintiff's *Amended Motion for Leave to File Second*
28 *Amended Complaint, and in the alternative, Motion for Final Judgment Under Rule 54(b) as to*
29 *Cybersquatting Cause of Action.* Defendants do not object to the briefing schedule on this
30 motion currently set by this Court's November 1, 2007 Order Setting the Briefing Schedule on

1 the Motion for Leave to File a Second Amended Complaint [Dkt.175]. However, the
2 undersigned is unavailable to attend oral argument on plaintiff's motion on January 4, 2008.
3 Plaintiff's counsel failed to confer with the undersigned regarding the date for the hearing. *See*
4 Decl. of R. Scott Jerger, ¶ 3. The undersigned will be in Montana on vacation from January 2 to
5 January 6. *See* Decl. of R. Scott Jerger, ¶4. The undersigned has purchased non-refundable
6 travel tickets and has booked non-refundable accommodations for this trip. *See* Decl. of R.
7 Scott Jerger, ¶ 5. These travel plans have been confirmed for many months. *See* Decl. of R.
8 Scott Jerger, ¶ 6. The defendants are amenable to any other date, including January 11, 2008,
9 that is available for a hearing on this matter.

10 The defendants do not oppose an extension of this Court's ordered December 14, 2007
11 settlement conference deadline. However, defendants do not see any merit in an extension. The
12 plaintiff's concern appears to be that the pleadings will not be framed in time for this Court
13 ordered settlement conference. Given the content of the plaintiff's *Amended Motion for Leave to*
14 *File Second Amended Complaint, and in the alternative, Motion for Final Judgment Under Rule*
15 *54(b) as to Cybersquatting Cause of Action*, it appears to the undersigned that the pleadings
16 might be in a state of flux for some time. Judge Laporte has indicated that she will instruct the
17 parties what to prepare in order to make a productive settlement conference and defendants
18 intend to honor this request. Defendants assume plaintiff will do likewise.

19 With respect to the January 18, 2008, case management conference, again, Defendants do
20 not object to an extension of this case management conference if the Court feels that it will be
21 unproductive. Defendants agree to some extent with plaintiff that this case will probably not
22 have progressed to the point where the parties can meaningfully schedule litigation activities by
23 January 18, 2008. However, defendants are happy to attend a case management conference on
24 January 18, 2008 should the Court so desire.

25 ///

26 ///

1 Dated November 2, 2007.

2 _____
3 /s/
4 R. Scott Jerger (*pro hac vice*)
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11 I certify that on November 2, 2007, I served Matthew Katzer's and KAM's Response to
12 Plaintiff's Motion re Scheduling on the following parties through their attorneys via the Court's
13 ECF filing system:

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15 Law Office of Victoria K. Hall
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20 _____
21 /s/
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24
25
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