

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CIVIL MINUTE ORDER

JUDGE: JEFFREY S. WHITE

COURTROOM DEPUTY: Jennifer Ottolini

DATE: August 11, 2006

Court Reporter: Joan Columbini

CASE NO.: C-06-1905 JSW

TITLE: Robert Jacobsen v. Matthew Katzer, et al.,

COUNSEL FOR PLAINTIFF:

COUNSEL FOR DEFENDANT:

Victoria Hall

R. Scott Jerger  
David Zeff

**PROCEEDINGS:**

- 1) Defendant Katzer and Kamind's Motion to Dismiss for Lack of Jurisdiction, Failure to State a Claim and to Bifurcate and Stay
- 2) Motion to Strike Pursuant to CCP Sec. 425.16
- 3) Motion to Strike Plaintiff's Libel Claims
- 4) Defendant Russell's Motion to Dismiss for Lack of Personal Jurisdiction and Failure to State a Claim
- 4) Initial CMC

**RESULTS:** *The Court tentatively GRANTS Defendants Matthew Katzer and Kamind Associates, Inc.'s motion to dismiss count 4 for lack of standing and for failure to state a claim upon which relief can be granted. The Court tentatively GRANTS Defendants Matthew Katzer and Kamind Associates, Inc.'s motion to dismiss count 7 for failure to state a claim upon which relief can be granted. The Court tentatively GRANTS Defendant Kevin Russell's motion to dismiss for failure to state a claim upon which relief can be granted. The Court tentatively RESERVES ruling on Defendants' special motions to strike and DENIES Plaintiff's administrative motion to amend the memoranda in opposition.*

The Court informed counsel that the *Motion to Amend/Correct 2 Memoranda in Opposition to Defendants' anti-SLAPP Motions* filed on 7-20-06 is DENIED and will not be considered by the Court as it was not timely filed.

The Court heard argument from counsel. The Court adopts its tentative rulings and a written ruling shall issue. The Court GRANTS Defendants' special motions to strike.

Initial CMC is held.

Counsel shall meet and confer in person and submit a proper joint case management statement by 8-18-06. Counsel for Defendants shall file declarations on attorney fees by 8-25-06 and Counsel for Plaintiff shall file any response by 9-8-06.

Deadline for Rule 26 disclosures: 9-5-06

The parties select Early Neutral Evaluation to be completed by 12-11-06. Amended complaint shall be filed no later than 9-11-06.

The Court cautioned counsel that the acrimony will cease as of this date.

cc: ADR