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10 Attorneys for Plaintiff Renaissance
Pictures, Ltd.

11 **UNITED STATES DISTRICT COURT**
12 **CENTRAL DISTRICT OF CALIFORNIA**
13

14 RENAISSANCE PICTURES, LTD.,
15
16 Plaintiff,
17 v.
18 AWARD PICTURES, LLC,
19 Defendant.

CASE NO. CV12-3805 DSF (JCGx)

**NOTICE OF DEFENDANT'S NON-
OPPOSITION TO APPLICATION
FOR ENTRY OF DEFAULT
JUDGMENT; DECLARATION OF
MICHAEL CHIAPPETTA IN
SUPPORT THEREOF**

1 Plaintiff Renaissance Pictures, Ltd. (“Plaintiff”) hereby submits a Notice of
2 Non-Opposition by Defendant Award Pictures, LLC (“Defendant”) to Plaintiff’s
3 Application for Entry of Default Judgment, and further requests that the Court enter
4 default judgment against Defendant without a hearing.

5 On July 2, 2012, the Clerk of the Court entered a default against the
6 Defendant. (Declaration of Michael Chiappetta (“Chiapp. Decl.”), ¶ 2.) On July 27,
7 2012, Plaintiff filed an Application for Entry of Default Judgment (the
8 “Application”). (Chiapp. Decl., ¶ 3.) Also on July 27, 2012, Notice of the filing of
9 Plaintiff’s Application was served on Defendant by U.S. Mail and e-mail to
10 Defendant’s principal place of business pursuant to Central District Local Rules 55-
11 1 and 55-2. (Chiapp. Decl., ¶ 3, Exh. A.)

12 Defendant was required to file any opposition to the Application by August 6,
13 2012. *See* Local Rule 7-9 (opposing papers due no later than 21 days before August
14 27, 2012 hearing date). To date, Defendant has not filed any such opposition or
15 response. (Chiapp. Decl., ¶ 4.) Defendant’s failure to file an opposition should
16 therefore be considered by this Court as Defendant’s consent to the granting of
17 Plaintiff’s Application. *See* Local Rule 7-12.

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1 Accordingly, Plaintiff respectfully requests that the Court vacate the
2 scheduled hearing and grant Plaintiff’s Application based on the submitted papers
3 and evidence. *See Philip Morris USA, Inc. v. Castworld Prods., Inc.*, 219 F.R.D.
4 494, 497 (C.D. Cal. 2003) (granting default judgment after no opposition was filed
5 by defendant).

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7 DATED: August 13, 2012

Respectfully submitted,

8 CALDWELL LESLIE & PROCTOR, PC
9 MICHAEL D. ROTH

10 FROSS ZELNICK LEHRMAN & ZISSU, P.C.
11 BARBARA A. SOLOMON
12 MICHAEL CHIAPPETTA

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14 By _____ /s/ _____
15 MICHAEL CHIAPPETTA
16 Attorneys for Plaintiff Renaissance Pictures
17 Ltd.
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