

1 Amrit Kumar
2 601 6th Floor, Rupa Solitare
3 Millennium Business Park, Plot No. A-1
4 Mahape, Mumbai
5 Maharashtra-400710, India
6 Email: amritkum@proton.me

7
8 Defendant pro se

9
10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA**

12 MG PREMIUM LTD, a limited
13 liability, company organized under the
14 laws of the Republic of Cyprus,

15
16 Plaintiff,

17 vs.

18
19 AMRIT KUMAR
20 , d/b/a GOODPORN.TO,

21
22 Defendant

Case No.: 2:21-cv-08533-MCS-SPx

23 **DEFENDANT AMRIT KUMAR'S**
24 **EX PARTE APPLICATION TO**
25 **SET ASIDE DEFAULT**
26 **JUDGMENT**

27
28 Defendant Amrit Kumar hereby applies, on an ex parte basis, for an order to set aside the default judgment entered against him in the above-captioned case.

1 This application is made in accordance with the Federal Rules of Civil
2 Procedure and the Local Rules of the United States District Court for the Central
3 District of California.

4 5 **I. INTRODUCTION AND BACKGROUND**

6
7 On November 27, 2023, the court issued an order entering default against all
8 defendants, including Defendant Amrit Kumar, due to their non-appearance at the
9 Final Pretrial Conference (FPTC). The reasons for this non-appearance, which are
10 critical to the current ex parte application, encompass several factors. First, visa
11 restrictions, which were brought to the court's attention prior to the Final
12 Settlement Conference, prevented the Defendant's physical presence in the United
13 States. As a pro se litigant with limited familiarity with U.S. legal procedures, the
14 Defendants faced challenges that led to unintended procedural oversights.
15 Additionally, the situation was further complicated by the Plaintiff's failure to
16 comply with the court's directive to engage in a meet and confer, adding to the
17 Defendant's confusion and contributing to the circumstances leading to the default.

18 19 **II. MEMORANDUM**

20 21 **A. Opposing Counsel's Contact Information**

22
23 KARISH & BJORGUM, PC

24 A. ERIC BJORGUM

25 Eric.bjorgum@kb-ip.com

26 MARC KARISH

1 Marc.karish@kb-ip.com
2 119 E. Union Street, Suite B
3 Pasadena, CA 91103
4 Phone: (213) 785-8070
5

6 **B. Reasons for Seeking Ex Parte Relief**

7

8 The Defendant is compelled to file an ex parte motion due to extraordinary
9 circumstances, justifying an expedited judicial review:

10 **1. Timeline for Regular Motion Exceeded:** The opportunity for filing a
11 regular motion lapsed on August 28, 2023. With the default judgment issued on
12 November 27, 2023, and considering today's date is December 14, 2023, it was
13 impossible for the Defendant to file a standard motion within the prescribed
14 timeframe. Therefore, an ex parte motion remains the sole feasible method for the
15 Defendant to request the court to set aside the default judgment.

16 **2. External Factors Contributing to Default:** Key issues leading to the
17 default judgment were not within the Defendant's control. Specifically, visa
18 restrictions on Indian nationals, a matter previously disclosed to the court,
19 significantly impeded the Defendant's ability to comply. These restrictions are a
20 result of U.S. policy, not the actions of the Defendant, underscoring that the default
21 was not a result of the Defendant's own doing.
22

23 **C. Points and Authorities**

24

25 The Defendant's ex parte application for setting aside the default judgment is
26 anchored on the following legal provisions and principles:
27
28

1 1. Federal Rules of Civil Procedure Rule 55, Default Judgement.

2 (c) Setting Aside a Default or a Default Judgment. The court may set aside
3 an entry of default for good cause, and it may set aside a final default judgment
4 under Rule 60(b).

5 2. Federal Rules of Civil Procedure Rule 60. Relief from a Judgment or
6 Order

7 (b) Grounds for Relief from a Final Judgment, Order, or Proceeding. On
8 motion and just terms, the court may relieve a party or its legal representative from
9 a final judgment, order, or proceeding for the following reasons:

10 (1) mistake, inadvertence, surprise, or excusable neglect;

11 (2) newly discovered evidence that, with reasonable diligence, could not
12 have been discovered in time to move for a new trial under Rule 59(b);

13 (3) fraud (whether previously called intrinsic or extrinsic),
14 misrepresentation, or misconduct by an opposing party;

15 (4) the judgment is void;

16 (5) the judgment has been satisfied, released, or discharged; it is based on an
17 earlier judgment that has been reversed or vacated; or applying it prospectively is
18 no longer equitable; or

19 (6) any other reason that justifies relief

20
21 **III. NOTICE OF EX PARTE APPLICATION**

22
23 In compliance with Local Rules 7-19 and 7-19.1 of the Central District of
24 California, Defendant Amrit Kumar respectfully submits the following details
25 regarding the efforts made to notify the opposing counsel, Eric Bjorgum, about the
26 ex parte application.
27

1 On December 13, 2023, the Defendant sent an email to the opposing
2 counsel, notifying them of the intent to file an ex parte motion on either December
3 14 or 15, 2023. The email outlined the central issues of the motion, including the
4 Defendant's inability to be physically present in the U.S., potential oversights due
5 to pro se representation, and confusion resulting from the Plaintiff's alleged non-
6 compliance with court-ordered procedures such as the meet and confer
7 requirement.

8 The Plaintiff's counsel responded via email on December 13, 2023, stating:
9 "We filed an errata today; let me know what you intend to do. It's attached."
10 Further communication from the Plaintiff's counsel on December 14, 2023, at 1:21
11 AM, requested a phone call at 10:00 AM PST. The Defendant attempted to call at
12 the specified time but the call didn't go through, and received no call to his number
13 provided to the Plaintiff's counsel. The Defendant then reported this back in an
14 email and inquired about the Plaintiff's position regarding opposition to the ex
15 parte motion. Additionally, the Plaintiff later asked for the translator's name of the
16 Defendant to facilitate a call, which Amrit Kumar immediately provided.
17 **Furthermore, the Plaintiff made a statement indicating their intention to**
18 **oppose this ex parte application. The Plaintiff was reminded that there is a**
19 **24-hour time limit for opposing.**

20 Later, the Plaintiff emailed, expressing a hope to speak "tomorrow (Friday,
21 PST)" on 12/15/2023 in the PST time zone and mentioned the possibility of
22 providing another contact number if needed. In accordance with the Local Rules,
23 Amrit Kumar responded by stating that he had provided his phone number on
24 Wednesday, 12/13/2023, and had attempted to contact the Plaintiff at the agreed
25 time of 10:00 AM PST on 12/14/2023. Additionally, Amrit Kumar called the
26 Plaintiff several times after 10:00 AM PST, but none of the calls went through,
27
28

1 suggesting that the number provided by the Plaintiff may be non-functional.
2 Despite this, the Plaintiff did not initiate a call to the defendant's number on either
3 December 13 or 14.

4 Amrit Kumar has adhered to the requirements of the local rules and has
5 demonstrated good faith in trying to facilitate a telephonic meet and confer.
6 However, it appears the plaintiff did not have a working phone number, nor did
7 they attempt to call Amrit Kumar at the number he has provided.

8 Furthermore, Amrit Kumar has expressed that he is available for the next
9 hour, approximately until 4:30 PM PST on 12/14/2023, which corresponds to 6:00
10 AM IST in India. Despite not having slept throughout the night, in an effort to
11 contact the Plaintiff and waiting for the Plaintiff to make a call, Amrit Kumar has
12 remained available and vigilant. Nevertheless, he cannot delay filing his ex parte
13 motion indefinitely due to the Plaintiff's lack of response and unreasonable delays.
14 At the time of this filing, the Plaintiff has not yet called the defendant's number.
15 The entire conversation is attached as Exhibit A.

16 17 **IV. GROUNDS FOR REQUESTING EX PARTE RELIEF**

18
19 **1. Visa Restrictions and Physical Presence in the U.S.:** Defendant, as an
20 Indian national, is subject to the extensive and uncertain process faced by many
21 Indian citizens in obtaining a U.S. Visa for physical presence in the United States.
22 Acquiring such a permit involves a lengthy and complex process, laden with
23 numerous requirements, and there's no assurance of eventual approval.
24 Consequently, Amrit Kumar was unable to be physically present in the U.S. This
25 visa issue was previously discussed and acknowledged by the court prior to the
26 final settlement conference, leading to the conference being conducted remotely.
27

1 Given this backdrop, the Defendant reasonably did not anticipate the necessity for
2 physical attendance in subsequent court proceedings.

3 **2. Pro Se Litigant Challenges:** Amrit Kumar, as a pro se litigant, is not
4 experienced or knowledgeable about U.S. laws and legal systems. He has been
5 learning the law progressively as the case advances. For him, each step is new and
6 unfamiliar. Kumar was not aware of the Pretrial Conference, having forgotten that
7 such an event was listed in the schedule report. His limited familiarity with the
8 intricacies of U.S. legal procedures presented significant challenges. Confronted
9 with numerous new legal concepts and requirements, Kumar faced difficulties in
10 fully grasping and retaining all the procedural details. The Pretrial Conference,
11 mentioned in the court's schedule report in February, became one of the many legal
12 elements that Kumar struggled to keep track of amidst the influx of new
13 information. This lack of experience and the overwhelming amount of legal
14 information contributed to his inadvertent oversight of the scheduled Pretrial
15 Conference.

16 **3. Meet and Confer Compliance Issues:** Prior to the final pretrial
17 conference, the court mandated a meet and confer session between the parties. As a
18 pro se litigant, Amrit Kumar awaited the completion of this session, following the
19 court's instructions, before advancing to the next procedural stage. This
20 requirement, outlined in docket #71, specifically mandated that lead trial counsel
21 for each party meet and confer in person 40 days before the FPTC. On October 6th,
22 Mr. Eric Bjorgum, the Plaintiff's counsel, was contacted via email to suggest a
23 location for this session as required under Local Rule 16, and was reminded of
24 Amrit Kumar's difficulty in visiting the US. However, the Plaintiff's counsel
25 refused to respond, contrary to the court's guidelines which state that non-
26 compliance could lead to sanctions or even the cancellation of the FPTC. This lack
27
28

1 of response left Kumar uncertain and without clear direction on how to proceed,
2 given the absence of the required in-person session.

3 **4. Late Awareness of Physical Presence Requirement at FPTC and**
4 **Request for Remote Participation:** The Defendant became aware of the
5 requirement for physical attendance at the FPTC on Friday, November 24, 2023.
6 Initially, it was assumed that this communication related to the mandatory meet
7 and confer session prior to the FPTC. However, further clarifications from Mr.
8 Bjorgum, the Plaintiff's counsel, revealed that the reference was to the actual
9 FPTC. Upon realizing that the FPTC required physical attendance, and considering
10 that all defendants, including Amrit Kumar, are located outside the U.S. with
11 Kumar unable to enter the USA due to visa restrictions, a request was made to the
12 court. On November 26, 2023, a day before the scheduled FPTC, Kumar filed a
13 request (Docket No. 235) seeking to reschedule the FPTC and allow for remote
14 participation, thereby enabling him to participate and defend himself.

15 16 **V. CONCLUSION**

17
18 In light of the aforementioned circumstances, including the impossibility of
19 traveling to the U.S. due to visa restrictions, the lack of knowledge about litigation
20 procedures, and the plaintiff's refusal to participate in the required meet and confer,
21 which contributed to the defendant's confusion, Amrit Kumar respectfully requests
22 the court to set aside the default judgment. Kumar urges the court to allow the
23 conferences to be conducted remotely, thereby granting him the opportunity to
24 adequately defend himself in accordance with the principles of justice and fairness.

25
26 Respectfully submitted,

1 Amrit Kumar
2 Pro Se Defendant
3

4 **DECLARATION**

5
6 I declare under penalty of perjury under the laws of the United States of
7 America that the foregoing responses are true and correct to the best of my
8 knowledge and belief.
9

10
11 Dated: December 14, 2023

12
13 /s/ Amrit Kumar

14 AMRIT KUMAR

15 601 6th Floor, Rupa Solitare

16 Millennium Business Park, Plot No. A-1

17 Mahape, Mumbai

18 Maharashtra-400710, India

19 Email: amritkum@proton.me
20
21

22 **CERTIFICATE OF SERVICE**

23 I hereby certify that on 12/14/2023, copies of the foregoing document have
24 been sent to all the parties at the following addresses:
25

26 KARISH & BJORUGM, PC
27 A. ERIC BJORGUM
28

1 Eric.bjorgum@kb-ip.com
2 MARC KARISH
3 Marc.karish@kb-ip.com
4 119 E. Union Street, Suite B
5 Pasadena, CA 91103

6 Emilie Brunn
7 Emilie.brunn@protonmail.com

8 Lizette Lundberg
9 Liz.lundberg@protonmail.ch

10 Dated: December 14, 2023

13 /s/ Amrit Kumar

14 AMRIT KUMAR

15 601 6th Floor, Rupa Solitare

16 Millennium Business Park, Plot No. A-1

17 Mahape, Mumbai

18 Maharashtra-400710, India

19 Email: amritkum@proton.me

20
21
22
23
24
25
26
27
28

Exhibit A

Notice of Intent to File Ex Parte Motion to Set Aside Default Judgment

From amritkum@proton.me <amritkum@proton.me>

To Eric Bjorgum<eric.bjorgum@kb-ip.com>, Liz.lundberg<Liz.lundberg@protonmail.ch>, Emilie.brunn<Emilie.brunn@protonmail.com>

Date Wednesday, December 13th, 2023 at 10:56 PM

Dear Eric,

I hope this message finds you well. I am writing to formally notify you of my intention to file an ex parte motion to set aside the default judgment entered in the case of MG Premium Ltd v. John Does 1-20 d/b/a Goodporn.to (Case No. 2:21-cv-08533-MCS-SP). My plan is to file this motion on either December 14th or 15th, 2023.

Some of the issues I intend to raise in my ex parte motion include:

1. Physical Presence in the United States: Due to circumstances beyond my control, I am unable to physically present myself in the United States for proceedings.
2. Pro Se Representation Challenges: As a pro se litigant unfamiliar with the intricacies of the U.S. legal system and procedures, I fear that critical deadlines may have been inadvertently overlooked.
3. Confusion Arising from Plaintiff's Actions: I believe there was a failure on the plaintiff's part to adhere strictly to court-ordered procedures, which contributed significantly to my confusion and inability to respond appropriately to the legal proceedings.

In accordance with Local Rule 7-19.1 of the Central District of California, I am reaching out to you regarding this forthcoming ex parte motion. I kindly request an opportunity to verbally discuss the specifics of this motion with you. Please advise a suitable time for a telephonic conversation. You may also contact me directly at 2250972547 to discuss this matter further.

Sincerely,

Amrit Kumar

RE: Notice of Intent to File Ex Parte Motion to Set Aside Default Judgment

From Eric Bjorgum <eric.bjorgum@kb-ip.com>
To amritkum@proton.me, Liz.lundberg<Liz.lundberg@protonmail.ch>, Emilie.brunn<Emilie.brunn@protonmail.com>
CC Holly Newsome<holly.newsome@kb-ip.com>
Date Wednesday, December 13th, 2023 at 11:18 PM

We filed an errata today; let me know what you intend to do. It's attached.

From: Amrit Kumar <amritkum@proton.me>
Sent: Wednesday, December 13, 2023 2:56 PM
To: Eric Bjorgum <eric.bjorgum@kb-ip.com>; Liz.lundberg <Liz.lundberg@protonmail.ch>; Emilie.brunn <Emilie.brunn@protonmail.com>
Subject: Notice of Intent to File Ex Parte Motion to Set Aside Default Judgment

Dear Eric,

I hope this message finds you well. I am writing to formally notify you of my intention to file an ex parte motion to set aside the default judgment entered in the case of MG Premium Ltd v. John Does 1-20 d/b/a Goodporn.to (Case No. 2:21-cv-08533-MCS-SP). My plan is to file this motion on either December 14th or 15th, 2023.

Some of the issues I intend to raise in my ex parte motion include:

1. Physical Presence in the United States: Due to circumstances beyond my control, I am unable to physically present myself in the United States for proceedings.
2. Pro Se Representation Challenges: As a pro se litigant unfamiliar with the intricacies of the U.S. legal system and procedures, I fear that critical deadlines may have been inadvertently overlooked.
3. Confusion Arising from Plaintiff's Actions: I believe there was a failure on the plaintiff's part to adhere strictly to court-ordered procedures, which contributed significantly to my confusion and inability to respond appropriately to the legal proceedings.

In accordance with Local Rule 7-19.1 of the Central District of California, I am reaching out to you regarding this forthcoming ex parte motion. I kindly request an opportunity to verbally discuss the specifics of this motion with you. Please advise a suitable time for a telephonic conversation. You may also contact me directly at 2250972547 to discuss this matter further.

Sincerely,

Amrit Kumar

6.51 MB 7 files attached

DN 251a.pdf
129.43 KB

DN 251.pdf
188.48 KB

DN 250 MG corrected declaration.pdf

139.92 KB

DN 250 -1 MG Corrected defeault judgment motion.pdf

288.48 KB

DN 250 MG Notice of Errata.pdf

118.78 KB

D.N. 30-1 -- MG -- Exhibits A-E to First Amended Complaint.pdf

5.40 MB

D.N. 30 -- MG -- First Amended Complaint.pdf

273.42 KB

RE: Notice of Intent to File an Ex Parte Motion to Set Aside Default Judgment

From Eric Bjorgum <eric.bjorgum@kb-ip.com>

To amritkum@proton.me

Date Thursday, December 14th, 2023 at 1:21 AM

Amrit - pls call me at the office at 213-785-8070 at 10:00 am my time.

Sent from my iPhone

On Dec 13, 2023, at 2:56 PM, Amrit Kumar <amritkum@proton.me> wrote:

Dear Eric,

I hope this message finds you well. I am writing to formally notify you of my intention to file an ex parte motion to set aside the default judgment entered in the case of MG Premium Ltd v. John Does 1-20 d/b/a Goodporn.to (Case No. 2:21-cv-08533-MCS-SP). My plan is to file this motion on either December 14th or 15th, 2023.

Some of the issues I intend to raise in my ex parte motion include:

1. Physical Presence in the United States: Due to circumstances beyond my control, I am unable to physically present myself in the United States for proceedings.
2. Pro Se Representation Challenges: As a pro se litigant unfamiliar with the intricacies of the U.S. legal system and procedures, I fear that critical deadlines may have been inadvertently overlooked.
3. Confusion Arising from Plaintiff's Actions: I believe there was a failure on the plaintiff's part to adhere strictly to court-ordered procedures, which contributed significantly to my confusion and inability to respond appropriately to the legal proceedings.

In accordance with Local Rule 7-19.1 of the Central District of California, I am reaching out to you regarding this forthcoming ex parte motion. I kindly request an opportunity to verbally discuss the specifics of this motion with you. Please advise a suitable time for a telephonic conversation. You may also contact me directly at 2250972547 to discuss this matter further.

Sincerely,

Amrit Kumar

RE: Notice of Filing of Plaintiff's Motion to Set Aside Default Judgment

From: Emric Bmj gro@me . Emric Bmj gro@meb

@ kri-@traBm.eri-@traBmj t rig@omb

DE@BrsdEy,De-emt erp4d,p2023Eq AM f 7

DeErkri-

Emric Bmj gro@me . Emric Bmj gro@meb
kri-@traBm.eri-@traBmj t rig@omb
DE@BrsdEy,De-emt erp4d,p2023Eq AM f 7

Giu-ere5,
Lmri@BmEr

J up@BrsdEy,De-emt erp4d,p2023Eq AM f 7 ,kri-@traBm eri-@traBmj t rig@omb roeA

Lmri@BmEr
Giu-ere5,
Lmri@BmEr

J upDe- p13,p2023,Eq AM f 7 ,Lmri@BmErp Emric Bmj gro@meb roeA

DeErkri-

Emric Bmj gro@me . Emric Bmj gro@meb
kri-@traBm.eri-@traBmj t rig@omb
DE@BrsdEy,De-emt erp4d,p2023Eq AM f 7

GomepShpissBesppiu eudpprEiseipumyepKqEræpmodioupu- 5deA

1< f hysi- E5f reseu- epuphep9 uiedpGæesADBepp ir- BmsEu- est eyoudmyp ouro5pæEmpBuEt 5pø
ghysi- E5ypreseuqmyse5puphep9 uiedpGæesppro- eediuas<

2< f ropGæp egreseudEdouphE5uaesAL spEgropseppiaEuqBu5Emi5Erp6 idptheuri- E- iespShpø <GæE5
systempEudppro- edBres,65ErpEo rid- E5deEd5uespmEyhEPeræeupuEdPeræu5pPer5o ed<

3< Uou5SsioupL risiuap5omp 5iud5pL- dousApæe5ePeppherep6 EspE5Brepuphep5iud5pEgEræpEdhere
sri- 5ypop oBræorderdppro- edBres,6 hi- hp ourit Bæpsiaui5- Eud5ypomyp ou5SsioupEudpuEt i5ypopresgoud
Eggrogrie5ypophepæE5pogro- eediuas<

8upE - - ordEu- ep6 idpCo- E5p Bep mY< pShpUeucE5Disri- æp5UE55ruiE,6EEmpeE- hiuapBæpøpBreaErduia
chispærdh- omiuapæKqEræpmodiou< p iud5pewBesæEupggorBuiyppPert E5ypdis- Bssphæpge- i5- sp5p
modoupp6 idpøB< f 5EsepEdPisepEpsBiEt 5pimep6Eræpæghoui- p ouPersEdouæp oBmEypE5op ouE- pme
dire- 5ypæ22MY/ 2M/ pæpdis- BsspispææpæBræher<

Giu-ere5,

Lmriqæ BmEr

RE: Notice of Filing of Ex Parte Motion to Set Aside Default Judgment

From Eric Bjorgum <eric.bjorgum@kb-ip.com>

To amritkum@proton.me

Date Thursday, December 14th, 2023 at 9:04 PM

Amrit,

There is no record of you calling. Please let me know the name of your translator because you require a translator when I call you.

However, per the rule, we will oppose.

— Eric Bjorgum.

Sent from my iPhone

On Dec 14, 2023, at 12:57 PM, Amrit Kumar <amritkum@proton.me> wrote:

Dear Eric,

I attempted to call your office at the designated time, but unfortunately, the call did not go through. I also haven't received a call from your end. I am proceeding with the filing of my ex parte motion. Please be aware that the court requires notification regarding whether you intend to oppose this motion. I wish to remind you of the 24-hour deadline to oppose ex parte applications, in accordance with the Judge's Procedures. Your prompt attention to this matter would be greatly appreciated.

Sincerely,
Amrit Kumar

On Thursday, December 14th, 2023 at 1:21 AM, Eric Bjorgum <eric.bjorgum@kb-ip.com> wrote:

Amrit - pls call me at the office at 213-785-8070 at 10:00 am my time.
Sent from my iPhone

On Dec 13, 2023, at 2:56 PM, Amrit Kumar <amritkum@proton.me> wrote:

Dear Eric,

I hope this message finds you well. I am writing to formally notify you of my intention to file an ex parte motion to set aside the default judgment entered in the case of MG Premium Ltd v. John Does 1-20 d/b/a Goodporn.to (Case No. 2:21-cv-08533-MCS-SP). My plan is to file this motion on either December 14th or 15th, 2023.

Some of the issues I intend to raise in my ex parte motion include:

1. Physical Presence in the United States: Due to circumstances beyond my control, I am unable to physically present myself in the United States for proceedings.
2. Pro Se Representation Challenges: As a pro se litigant unfamiliar with the intricacies of the U.S. legal system and procedures, I fear that critical deadlines may have been inadvertently overlooked.
3. Confusion Arising from Plaintiff's Actions: I believe there was a failure on the plaintiff's part to adhere strictly to court-ordered procedures, which contributed significantly to my confusion and inability to respond appropriately to the legal proceedings.

In accordance with Local Rule 7-19.1 of the Central District of California, I am reaching out to you regarding this forthcoming ex parte motion. I kindly request an opportunity to verbally discuss the specifics of this motion with you. Please advise a suitable time for a telephonic conversation. You may also contact me directly at 2250972547 to discuss this matter further.

Sincerely,



Amrit Kumar

RE: Notice of Filing of Plaintiff's Motion to Set Aside Default Judgment

From: Emric Bmj groou@me . Emric Bmj groou@meb

@ kri-@ TraBm. eri-@ TraBmj t rig@ omb

DE@ @BrsdEy, De- emt erpl4d, 2023, Eq: 12:PM

DeErkri- ,

MyrEusAcorfpuEmepsp ishi<

wiu- ereA,

qmric

I up@BrsdEy, De- emt erpl4d, 2023, Eq: 04:PM, kri-@ TraBmp eri-@ TraBmj t rig@ ombHroæ:

qmricp

@herepsuore- ordpvoBp EAua@PAEsepe qmep uoH@hepEmepvoBp@EusAcorf e- EBsepyoBp- BirepE
@EusAcorfHheup@ EAyoBp

OoHe5er, g@r@p@BA, p@H@H@A@ggosep

7 kri-@ TraBmp

wu@rompmy@Phoue

I upDe- p14, 2023, Eq: 12:K PM, qmri@x BmErp Emric Bmj groou@mebHroæ:

DeErk ri - ,

SEcmgedpop EAyoBrowi-epEqthepdesiauEedpime,ri BqBuvorBuEeA,thep EAAdiduoqapthroBah<SEA
hE5eufre-ei5edpEp EArompyoBpud<SEmpgro- eediuapHidhthepiAuapvmyeJgErepmoioou<PAEset e
EHereptheqthep oBrqre-Birespuoivi- EdoupreaErduapHhedherpyoBpuæudpæggosepthismodou<SHishp
remiudpyoBpvtthep24rhoBpdeEdAuepæggosepJgEreEggA Edous,pupE- -ordEu- epHidhthepBdaefs
Pro-edBres<BoBrgromgqEæudoupphismpæepHoBAd epareEayEggre-iEed<

wiu- ereA,
qmriq BmEr

I up@BrsdEy,pDe- emt erp14th,p2023,Eq1:21n M,kr i- p> TraBmp eri- < TraBmj t rig< ombpHroæ:

qmriqAp EAmerEqthepwi- eEq213n 6Kr60' 0pEq10:00pEmnyimep
weuqrompmyiPhoue

I upDe- p13,p2023,Eq2:KGPM,qmriq BmErp Emric Bmj groæ<mebphroæ:

DeErk ri - ,

ShogepthismessEæpiudspyoBHeAqSEmpHriuaopormEApuoivpyoBpomyiæudouppiaEreJ
gErepmoioouppesqEsiderpthevEABdameuææredpupthep EsepvML pPsemiBmp æp5pYohupDoes
1r20p(t (Eq_oodgouru<onEsep) o<2:21n 5r06K33nMNwnwPUpMygA EupspiaEphismodouppuæider
De- emt erp14thprip1Kth,p2023<

womepvtthepissBespSiæudouppEisepupmyeJgErepmoiooupu- A&de:

- 1<Physi- EApreseu- epupthepRuicedpvcEes:pDBepop ir- BmsEu- est eyoudpmye ouroAqSEmpBuEt Aæp
ghysi- EApreseuqmyseAupthepRuicedpvcEsporgro- eediuas<
- 2<Propwep egreseuEdouNHEAuaes:p sEgropsepAiaEuqBuEmiAerpHidhthepucri- E- iespvtthepR<w<
AæAAsysempEudgro- edBres,pSEerpthEq rid- EAdeEdAuespmythE5ed eeupuEd5ereuqyæ5erAæo ed<

3<NouvBsiouprisiuaprompPAEiudwfsq - dous:St eAe5eptherepHEspEiBrepupthepAeiuwfsqErco
Edherepsri- oApp oBrorderedpro- edBres, pHi- hp ourit Bedpsiauii- EuAppmyp ouvBsiouEud
iuEt iAppresgoudEggrogriEeAppthepeAeAgro- eediuas<

SipE- - ordEu- epHidhp o- EA BAp n19< pthepNeurEADisri- covNEAoruiE, pSEmpreE- hiuapBcopyoB
reaErduapthispordh- omiuapeJgErepmouou- sp iudAppre- BesqEupggordGuigmp Bert EAadis- Bsspe
sge- iv- spvthispmououHidhp oB- PAEsefEd5iserEpBiEt ApimeporEpeAghoui- p ou5ersEdou- 8oB
mEypEAsop oucE- qmepdire- AppEq22K09' 2K4' pndis- BssphismEærpBrder<

wiu- ereA,

q mriqx BmEr

RE: Notice of Entry to File a Partial Motion to Set Aside Default Judgment

From Eric Bjorgum <eric.bjorgum@kb-ip.com>

To amritkum@proton.me

Date Thursday, December 14th, 2023 at 10:01 PM

Amrit,

Thank you. I am hopeful that we can speak soon, so as to address all our issues with the Hecaw case. I am available tomorrow - Friday, PST. If needed, I will provide a dial-in conference number.

5 Eric Bjorgum

7 n Dec 14, 2023, at 1:12 PM, Amrit Kumar <amritkum@proton.me> wrote

Dear Eric,

My translator's name is Vishu.

Sincerely,

Amrit

7 n Thursday, December 14th, 2023 at 4:04 PM, Eric Bjorgum <eric.bjorgum@kb-ip.com> wrote

Amrit,

There is no record of you calling. Please let me know the name of your translator because you require a translator when you call.

Yoqel er, per the rule, you may oppose.

5 Eric Bjorgum.

Sent from my iPhone

7 n Dec 14, 2023, at 12:08 PM, Amrit Kumar <amritkum@proton.me> wrote

Dear Eric,

I attempted to call your office at the designated time, but unfortunately, the call did not go through. I also have not received a call from your end. I am proceeding with the filing of my ex parte motion. Please be aware that the court requires notification regarding whether you intend to oppose this motion. I wish to remind you of the 24-hour deadline to oppose ex parte applications, in accordance with the Judge's Procedures. Your prompt attention to this matter would be greatly appreciated.

Sincerely,
Amrit Kumar

7 n Thursday, December 14th, 2023 at 12:11 AM, Eric Bjorgum <eric.bjorgum@kb-ip.com> wrote

Amrit - please call me at 213-877-080 at 10:00 am my time.
Sent from my iPhone

7 n Dec 13, 2023, at 2:09 (PM, Amrit Kumar <amritkum@proton.me> wrote

Dear Eric,

I hope this message finds you well. I am writing to formally notify you of my intention to file an ex parte motion to set aside the default judgment entered in the case of MC Premium Hold I. John Does 1-20 d/b/a Coodporn.to - Case No. 2:21-cl-0133-M) S-SP. My plan is to file this motion on either December 14th or 15th, 2023.

Some of the issues I intend to raise in my ex parte motion include:

1. Physical Presence in the United States: Due to circumstances beyond my control, I am unable to physically present myself in the United States for proceedings.
2. Pro Se Representation Challenges: As a pro se litigant unfamiliar with the intricacies of the R.S. legal system and procedures, I fear that critical deadlines may have been inadvertently overlooked.
3. Conclusion Arising From Plaintiff's Actions: I believe there was a failure on the plaintiff's part to adhere strictly to court-ordered procedures, which contributed significantly to my conclusion and inability to respond appropriately to the legal proceedings.

In accordance with Rule 8-1x.1 of the California District of California, I am reaching out to you regarding this forthcoming ex parte motion. I kindly request an opportunity to verbally discuss the specifics of this motion with you. Please advise a suitable time for a telephonic conversation. You may also contact me directly at 226-822-48 to discuss this matter further.

Sincerely,

Amrit Kumar

RE: Notice of Filing of Plaintiff's Motion to Set Aside Default Judgment

From: Emeric Bmj gro@me . Emeric Bmj gro@meb

@ k ri- p TraBm. eri- t rig< omb

DE@ BrsdEy, De- emt erp 4d, 2023, Ep 1911p P

DeErk ri- ,

MyroAidedmymBmt erpescerdEyEudEacmgcedpouE- qyoBpEqhepimepoyBref Besced p oBhEdp ochpescerdEy
EudpodEypop Ewd Bqidpuoqloso Ms seems thepBmt erpoyBpEAep EspouurlBu- douEvMhEAepBwiedphep- Ev
rBes pef Biremeus pEudpshoq upoodpEidhpuyruapop oudB- qthepmeeqEudp ouler< MyoBq ishropEAepE
ewghoui- pmeeqEudp ouler, pveEseproAidepEq or iuapBmt erpoy Ewnepoupmie< pEm, EAIEt wpuoq dorthepevc
hoBr< pE Euuochowd p lliwupmyevpErepmoouupBepoyoyBrBureEsouEt wpev- Bses<

—iu- erez,
Smric

Out@ BrsdEy, De- emt erp 4d, 2023, Ep 1095p P, k ri- p TraBmp eri- t rig< ombp roe9

Smric
@Eu poyBpE mhogelBwhEq ep EupgeE psou, sopEspopEAoidjssBesq idhpep7o- EwKBe pEm, EAIEt w
omorroq pFridEy, p —@pM needed, pM iwgroAidepEdiEwup oulereu- epBmt erp
J k ri- p TraBmp
OutDe- p 14, 2023, Ep 1912 : P, pSmric p BmErp Emeric Bmj gro@meb p roe9

DeErkri-,

PypEuswEorlpEmepspKishi<

-iu-erey,

Smric

Oup@BrsdEy,pDe- emt erp14th,p2023,Eq894p P,priri- p TraBmp eri- < TraBmj t rig< ombp roæ9

Smricp

@herepisuopre- ordpIpyoBp Ewua p wEsepe qnep uoq p thepEmepIpyoBpEuswEorlp e- EBsepyoBref BirepE
σEuswEorlp heupM EwyoBp

6 oq eAer,pperphepBe,pp ep iwpoggosep

J priri- p TraBmp

-euqrompmyi: houe

OupDe- p14,p2023,Eq125G: P,prSmricp/BmErp Emric Bmj groou-mebp roæ9

DeErkri-,

Mæemgædpop EwyoBpIli- epEqthepdesiauEædpime,p BqBulordBuEew,pphep EwpidpooæpBhæpM
EwophAeulpre- eiAedEp EwrompyoBpæud<MEmpgro- eediuap idp thepdiuapIpmypævqErepmoðou<
: wEsepeEq ErephEqthep oBref Birespuodli- EdoupreaErduapq hedherpyoBpæudpæoggosepthis

modou<M> ishpo remiudpyoBp lph 24rhoBrdeEdvuerpoggosevvgErceEggw Edous,puE - - ordEu- e
q idhphelBdaelsp ro- edBres<1 oBrngromgqEceudoupphismEcerp oBvd t epareEoyEggre- iEed<

-iu- erey,
SmriqYBmEr

Oup@BrsdEy,De- emt erp14d,2023,Eq121pSP ,k ri- p TraBmp eri- t TraBmj t rig< ombp roe9

SmriqYBmEr EwmerEqthepolli- epEq213nG 5n/ 0G0,Eq1090pEmmymimep
-eudrompmyi: houe

OupDe- p13,2023,Eq295(: P ,SmriqYBmErp Emric Bmj groou<nebp roe9

DeErk ri- ,

MhogepthismessEaepiudspyoBp ewpYEmq riduapodormEwypuodlypyoBp lphmypyceudouppdiverEu
evvgErcepmooupposeqEsidethepdelEBvBdameuqceuredpuhph Esep0p Cp remiBmp7dpA<
LohupDoesp1r20p1NpCoodgoru<op) EsepJo<221n Ar0/ 533rP) -n-: xpYpEupspodivepthis
modouppu<idherDe- emt erp14d,2023<

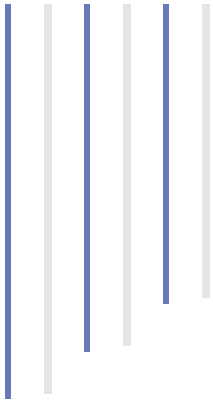
-omep0lphessBespMueudppEisepupmyevvgErcepmoouppu- vBde9

1p hysi- Ewp reseu- epuphRuicedp-Eces9DBepop ir- BmsEu- est eyoudmype ourowpYEm
BuEt wppghysi- EwypreseuqmysewuphRuicedp-Ecesporgro- eediuas<

2p rop- epKegreseuEdoup) hEweuaes9SsEgropsepidEucBulEmivErp idhphuari- E- iesp0lph
R<- pEasysæmpEudpgr- edBres,MEErpEq rid- EwdeEdvuespmyhEApt eeupuEdAeræuoy
oAerwo ed<

3p oulBsioupBrisiuapromp vudlls6- dous9MvievAepthepEspEpEwBrepuphgvudlls9pErc
wEdherepsari- oypop oBrorderedpgr- edBres,pu hi- hp ourit Bæpsiaulli- Euoyppmype oulBsiou
EudpuEt ivoyppresgoudpEggrogriEewp0lphEwgr- eediuas<

MpE- - ordEu- ep idh7o- EwKBeG18<0lphep) eucEwDiscri- 0lp) EwloruiE,MEmpreE- hiuapBqo



yoBreaErduaphisporh- omiuaevpErepmoou- M iudwref BesqEupggordBuicyppAert Ewy
dis- Bssphesge- ili- spIphismocoupi idpyoBp vEsepEdAiserEpsBidEt waimedorpEpevghoui-
- ouAersEciou p oBmEyEwop ouE- qmeplire- wpeq22508254Qoedis- BssphismEerpBrcher<

-iu- erev,

Smriq/BmEr