

1 COOLEY LLP
TIANA DEMAS (NY Bar No. 4210472)
2 (Admitted *pro hac vice*)
(tdemas@cooley.com)
3 110 N. Wacker Drive, Suite 4200
Chicago, Illinois 60606-1511
4 Telephone: +1 312-881-6500

5 COOLEY LLP
MICHAEL G. RHODES (116127)
6 (rhodesmg@cooley.com)
JOSEPH D. MORNIN (307766)
7 (jmornin@cooley.com)
3 Embarcadero Center, 20th Floor
8 San Francisco, California 94111-4004
Telephone: +1 415 693 2000

9 Attorneys for Plaintiff
10 GOOGLE LLC

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN JOSE DIVISION
14

15 GOOGLE LLC,
16 Plaintiff,
17 v.
18 NCHE NOEL NTSE,
19 Defendant.
20

Case No. 5:22-cv-02244-EJD

~~[PROPOSED]~~ ORDER GRANTING GOOGLE
LLC'S MOTION FOR DEFAULT JUDGMENT
AGAINST DEFENDANT NCHE NOEL NTSE

21
22 On October 6, 2022, the Court heard oral arguments for Plaintiff Google, LLC's motion
23 for default judgment. *See* Dkt. No. 30. Defendant did not appear. The Court has reviewed the
24 *Eitel* factors and finds that all the factors have been met. *Eitel v. McCool*, 782 F.2d 1470, 1471–
25 72 (9th Cir. 1986); *see* Dkt. No. 26.
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

The Court orders as follows:

1. Plaintiff’s motion for default judgment is GRANTED.

2. Defendant is liable for breach of contract under California law.


3. Defendant and Defendant’s officers, agents, servants, employees, attorneys, successors, and assigns, and all other persons who are in active concert with or participation with any of them or who are affiliated with Defendant are hereby permanently enjoined from the following:

- a. Accessing or attempting to access Google’s services;
- b. Creating or maintaining any Google accounts;
- c. Engaging in any activity (or facilitating others to engage in any activity) that violates Google’s Terms of Service or related policies;
- d. Continuing to operate the websites listed in Exhibit 5 of Plaintiff’s complaint; and
- e. Creating, operating, or facilitating any fraudulent schemes or websites utilizing Google’s services or any other third-party platforms.

4. This Court shall retain jurisdiction for the purpose of making any further orders to construe, modify, or enforce this judgment.

IT IS SO ORDERED.

Dated: October 7, 2022

By: 

Hon. Edward J. Davila
U.S. DISTRICT JUDGE