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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

SUNTECH POWER HOLDINGS CO.,
LTD., a corporation of the Cayman
Islands; WUXI SUNTECH POWER CO.,
LTD., a corporation of the People’s
Republic of China; and SUNTECH
AMERICA, INC., a Delaware
corporation,

Plaintiffs,

vs.

SHENZHEN XINTIAN SOLAR
TECHNOLOGY CO., LTD., a
corporation of the People’s Republic of
China; and SUN TECH SOLAR CO.,
LTD., a Honk Kong corporation,

Defendants.

CASE NO. 08-CV-01582 H (NLS)

**ORDER REGARDING SEIZURE
OF INFRINGING MATERIALS
AND CIVIL CONTEMPT
HEARING**

On October 14, 2008, Plaintiffs filed an ex parte request for the seizure of infringing materials from Defendants and for an order to show cause why Defendant should not be held in contempt on the grounds that Defendants were not complying with the Court’s October 6, 2008 preliminary injunction. After providing the Defendant written and telephonic notice of the motion and hearing, the Court held a hearing on October 15, 2008 at 1:30 p.m. David Dillard and Anne Bradley appeared on behalf of Plaintiffs. Defendants failed to appear. The Court then held an evidentiary hearing and heard credible testimony as to Defendant’s violation from Jason Somer, Plaintiff’s Senior Director of Business Development. After due

1 consideration, the Court found Defendants and their agent Leon Li in civil contempt for failure
2 to comply with the Court's preliminary injunction. (Doc. No. 23.) The Court further ordered
3 the seizure of Defendant's trade show materials containing the SUN TECH mark. The Court
4 scheduled a hearing for October 29, 2008 regarding the civil contempt and seizure.

5 On October 16, 2008, Defendant's representatives Yu Jiang and Leon Li appeared
6 before the Court and requested a hearing regarding the seizure and contempt. David Dillard
7 and Anne Bradley appeared on behalf of the Plaintiffs. After due consideration of testimony
8 from Defendant's representatives given through a qualified interpreter, the Court orders:

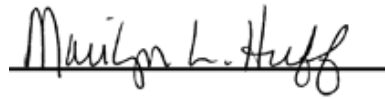
- 9 (1) The Court has provided Defendant with copies of Plaintiffs' complaint (Doc.
10 No. 1.), the Court's order to show cause (Doc. No. 22.), and the Court's order
11 granting Plaintiff's motion for seizure (Doc. No. 23.). **The Court admonishes**
12 **Defendant of the need to retain an attorney to represent its interests in this**
13 **matter.** This attorney must be licensed and admitted to practice before this
14 Court. All papers filed with the Court must be in English. Any Chinese
15 documents submitted to the Court must be accompanied by accurate English
16 translations.
- 17 (2) The hearing scheduled for October 29, 2008 is continued to **November 24, 2008**
18 **at 10:30 a.m.** Mr. Jiang is not required to personally appear before the Court.
- 19 (3) The Court grants Defendants additional time in which to answer or otherwise
20 respond to Plaintiff's complaint, filed August 28, 2008. Defendants must
21 respond through a licensed attorney on or before **November 17, 2008.**
- 22 (4) Plaintiff is ordered to provide Defendants with a copy of the inventory of items
23 seized pursuant to the Court order no later than **November 6, 2008** absent
24 further order of the Court.
- 25 (5) The Court reserves the right to change deadlines for good cause.
- 26 (6) A note handwritten by Mr. Jiang and translated by the interpreter is attached to
27 this order. That note contains a new contact address for Defendants. In addition
28 to the methods of service already in use, all notice and correspondence in this

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matter shall be sent via mail to that address.

IT IS SO ORDERED.

DATED: October 16, 2008

A handwritten signature in cursive script, reading "Marilyn L. Huff", is written over a solid horizontal line.

MARILYN L. HUFF, District Judge
UNITED STATES DISTRICT COURT