

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES -- GENERAL

Case No. CV 08-6630-VBF(PJWx)

Dated: January 15, 2009

Title: Konami Digital Entertainment, Inc., et al. -v- Vintage Sports Cards, Inc., et al.

PRESENT: HONORABLE VALERIE BAKER FAIRBANK, UNITED STATES DISTRICT JUDGE

Kendra Bradshaw
Courtroom Deputy

Lisa Gonzalez
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFFS:

ATTORNEYS PRESENT FOR DEFENDANTS:

Benjamin J. Fox
Wendy J. Ray
Anthony L. Press

Duke F. Wahlquist
Roger F. Friedman

PROCEEDINGS: OSC RE PRELIMINARY INJUNCTION

Case called and counsel make their appearances. As more fully reflected on the record, the Court presents its rulings on the evidentiary objections submitted by both Plaintiff and Defendant, and addresses Defendant's Motion to Strike.

For the reasons stated on the record, the Court DENIES, WITHOUT PREJUDICE, Plaintiff's Motion for Preliminary Injunction, on the grounds that: (1) the motion papers submitted by Plaintiff did not include competent evidence to support a finding that Plaintiff is entitled to preliminary injunctive relief; (2) the evidence submitted with Plaintiff's Reply papers was untimely; and (3) Plaintiff's motion papers failed to adequately present the scope of the requested injunctive relief, i.e., in a timely filed Proposed Order. Further, in any renewed motion, the parties should address and adequately brief the legal issue of Plaintiff's likely success on the merits.

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