United States District Court
Northern District of California

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

FEDERAL TRADE COMMISSION,

Plaintiffs,

v.

NTS IT CARE, INC., a California corporation, and

JAGMEET SINGH VIRK, individually, and as an owner, officer, and director of NTS IT Care, Inc.,

Defendants.

Case No. 4:20-cv-03388-PJH
(**SEALED**)

ORDER SETTING BRIEFING SCHEDULE ON NOTICED MOTION FOR TEMPORARY RESTRAINING ORDER

Re: Dkt. No. 22

The court is in receipt of plaintiff Federal Trade Commission's ("plaintiff") May 27, 2020 "motion for noticed temporary restraining order with asset freeze, other equitable relief, and order to show cause why a preliminary injunction should not issue." Dkt. 22. In it, plaintiff seeks to reinstitute a prior ex parte motion for a temporary restraining order (Dkt. 8) against defendant NTS IT Care, Inc. ("Defendant NTS") and its purported principal, defendant Jagmeet Singh Virk ("defendant Virk") (collectively, "defendants"). Dkt. 22 at 2. In its reinstituted motion, plaintiff states that it "is serving Defendant [sic] with notice of this Motion, as well as other pleadings and filings in this case," id., indicates that it will "notify the Court once Defendants have been served notice of this Motion," id. at 5, and provides a proposed order tying the motion's briefing deadlines to plaintiff's unspecified date of service, Dkt. 22-2.

To avoid any equivocation on the briefing schedule or the scope of "filings" that plaintiff must serve defendant in this sealed action, the court **DENIES** plaintiff's proposed

order (Dkt. 22-2) and **ORDERS** the following:

- Plaintiff must provide defendants notice of ***all*** orders, motions, pleadings, declarations, and any other documents filed in this sealed action (both to date or until defendants have electronic access to the sealed docket) **by 10:00 am on Friday, May 29, 2020**. Plaintiff must certify to this court that it has complied with this requirement.
- Defendants may file a joint response to plaintiff's request for a temporary restraining order **by 12:00 pm on Wednesday, June 3, 2020**. Given that this action is presently sealed, defendants must send any such response in PDF format to pjhcrd@cand.uscourts.gov, as well the email addresses noted for plaintiff's counsel in its pleadings.
- Plaintiff may file a reply to any such response **by 12:00 pm on Thursday, June 4, 2020**. Any such reply may not exceed 10 pages and should refrain from excessive footnotes.
- To the extent the court determines that a hearing is necessary after its receipt of the parties' papers, the court will issue follow-up instructions scheduling such hearing via Zoom.

IT IS SO ORDERED.

Dated: May 28, 2020

/s/ Phyllis J. Hamilton
PHYLLIS J. HAMILTON
United States District Judge

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Northern District of California