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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

Case No. LA CV11-01315 JAK (CWx)

KENNETH EADE,  
Plaintiff,

v.

INVESTORSHUB.COM, INC., et al.,  
Defendants.

**ORDER DENYING PLAINTIFF'S  
REQUEST TO APPEAR BY  
TELEPHONE**

Having read and considered Plaintiff's ex parte application ("Application") to appear by telephone at the hearing scheduled for June 27, 2016, the Application is **DENIED**. Plaintiff has not provided any evidence to support his assertion that good cause exists for his request to appear by telephone or that a risk of arrest is present. Moreover, the June 27, 2016 hearing was set on April 26, 2016. Dkt. 184. Therefore, Plaintiff has known for approximately 60 days of his required appearance, but did not timely seek a remedy, and waited approximately 50 days to file the Application. In addition to the failure to show that an emergency is presented that has not been the result of conduct by the Plaintiff, the Application also relies on certain factual assertions that

1 are incorrect. For example, Plaintiff asserts that he has “no ties to the jurisdiction” and is  
2 “retired from the practice of law,” Dkt. 187 at 6, but the California State Bar website  
3 indicates that Plaintiff is active and still maintains a law office in California, Dkt. 189-1  
4 at 9. Moreover, issues have been presented by Defendants as to the accuracy of other  
5 statements by Plaintiff concerning the prior proceedings in this matter, including his  
6 statement that the Court “has never granted the Plaintiff the opportunity to appear by  
7 telephone.” In fact, Plaintiff has been permitted to appear by telephone on three separate  
8 occasions. *See* Dkt. 49, 64 & 68. Therefore, having failed to show good cause or  
9 cognizable, exigent circumstances, the Application is DENIED. Plaintiff shall appear in  
10 person at the June 27, 2016 hearing.

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12 Dated: June 20, 2016

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16 JOHN A. KRONSTADT  
17 U.S. DISTRICT JUDGE  
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