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Party Plaintiff,
OMNIVERSE ONE WORLD
TELEVISION, INC. and JASON M.
DEMEO

9 **UNITED STATES DISTRICT COURT**
10 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

11 PARAMOUNT PICTURES
12 CORPORATION; COLUMBIA
13 PICTURES INDUSTRIES, INC.;
14 DISNEY ENTERPRISES, INC.;
15 TWENTIETH CENTURY FOX FILM
16 CORPORATION; WARNER BROS
17 ENTERTAINMENT, INC.;
18 UNIVERSAL CITY STUDIOS
19 PRODUCTIONS LLLP;
20 UNIVERSAL TELEVISION LLC;
21 and UNIVERSAL CONTENT
22 PRODUCTIONS LLC,
23 Plaintiffs,

24 v.

25 OMNIVERSE ONE WORLD
26 TELEVISION, INC.; JASON M.
27 DEMEO,
28 Defendants.

CASE NO. 2:19-cv-01156-MFW-ASx

**[PROPOSED] ORDER GRANTING
THIRD-PARTY PLAINTIFF
OMNIVERSE ONE WORLD
TELEVISION, INC.'S MOTION FOR
DEFAULT JUDGMENT AGAINST
THIRD-PARTY DEFENDANT
HOVSAT, INC.**

Judge: Hon. Michael W. Fitzgerald

23 OMNIVERSE ONE WORLD
24 TELEVISION, INC.,
25 Third-Party Plaintiff,
26 v.
27 HovSat, Inc.; Shant Hovnanian; and
28 DOES 1-10, inclusive,
Third-Party Defendants.

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1 After consideration of Third-Party Plaintiff Omniverse One World Television,
2 Inc.'s ("Omniverse") Motion for Default Judgment, the Declaration of R. Joseph
3 Trojan, and the pleadings, files, and records of this matter,

4 **THE COURT HEREBY FINDS THE FOLLOWING:**

5 1. Omniverse has sufficiently shown that not entering Default Judgment
6 against HovSat, Inc. ("HovSat") will prejudice Omniverse;

7 2. Omniverse has set forth well-pleaded allegations and facts in its Third-
8 Party Complaint and has made a sufficient showing of the following Counts:

- 9 a) Count 2: Breach of Contract;
10 b) Count 3: Negligent Misrepresentation;
11 c) Count 4: Fraudulent Misrepresentation;
12 d) Count 5: Breach of Implied Warranty of Title and Against
13 Infringement under UCC § 2-312; and
14 e) Count 6: Breach of Implied Covenant of Good Faith and Fair Dealing
15 under UCC § 1-304;

16 3. The sum of money at stake is proper in relation to the seriousness of
17 HovSat's fraudulent misrepresentations;

18 4. Omniverse has provided sufficiently well-pleaded facts in the Third-
19 Party Complaint such that there is no possibility of dispute concerning the material
20 facts;

21 5. No facts before the Court indicate that HovSat's default is due to
22 excusable neglect;

23 6. Granting Default Judgment against HovSat will not go against the strong
24 policy underlying the Federal Rules of Civil Procedure favoring decisions on the
25 merits; and

26 7. The damages requested by Omniverse constitute one injury giving rise
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1 to one claim of relief in the amount of \$50,000,000 against HovSat.

2 **ACCORDINGLY, IT IS HEREBY ORDERED** that Third-Party Plaintiff
3 Omniverse’s Motion for Default Judgment against HovSat is **GRANTED**.

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8 Dated: _____

9 Honorable Michael W. Fitzgerald
10 United States District Judge

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CERTIFICATE OF SERVICE

I am over the age of 18 years, employed in the County of Los Angeles, and not a party to the above entitled action. My business address is 9250 Wilshire Blvd., Suite 325, Beverly Hills, California 90212.

On January 30, 2020, I served:

- THIRD-PARTY PLAINTIFF OMNIVERSE ONE WORLD TELEVISION, INC.'S NOTICE OF MOTION AND MOTION FOR DEFAULT JUDGMENT AGAINST THIRD-PARTY DEFENDANT HOVSAT INC.;**
- DECLARATION OF R. JOSEPH TROJAN IN SUPPORT OF PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT;**
- EXHIBIT 1 TO DECLARATIO OF R. JOSEPH TROJAN;**
- MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF ITS MOTION FOR DEFAULT JUDGMENT AGAINST HOVSAT;**
- PROPOSED ORDER GRANTING DEFAULT JUDGMENT AGAINST HOVSAT;**
- PROPOSED JUDGMENT; and**
- this PROOF OF SERVICE**

By transmitting to:

Arthur P. Havinghorst II ESQ., Registered Agent of HovSat, Inc.
c/o Safari Telecom, Inc.
1 South Corporate Drive
Riverdale, NJ 07457

BY MAIL: I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service and Federal Express on the same day with postage thereon fully prepaid at Beverly Hills, California, in the ordinary course of business. I am aware that on the motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after the date of deposit for mailing shown on this proof of service.

FEDERAL: I declare, under penalty of perjury under the laws of the United States that the foregoing is true and that I am employed in the office of a member of the bar of at whose direction the service was made.

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Executed on January 30, 2020, at Beverly Hills, California.



Michiko Speier

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CERTIFICATE OF SERVICE

I hereby certify that on the 30th day of January 2020, I caused to have electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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by

/s/ R. Joseph Trojan
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JASON M. DEMEO

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