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9 McClain, Special Administrators of the Estate of
Michael J. Jackson; Triumph International, Inc.

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11 **UNITED STATES DISTRICT COURT**
12 **CENTRAL DISTRICT OF CALIFORNIA**
13 **WESTERN DIVISION**

14 JOHN G. BRANCA, Special
15 Administrator of the Estate of Michael J.
16 Jackson; JOHN MCCLAIN, Special
17 Administrator of the Estate of Michael J.
18 Jackson; TRIUMPH INTERNATIONAL,
INC., a California corporation,

18 Plaintiffs,

19 vs.

20 HEAL THE WORLD FOUNDATION, a
21 California corporation; UNITED FLEET,
22 a California corporation; and DOES 1-10,
23 inclusive,

24 Defendants.

CASE NO. CV-09-07084 DMG (PLAx)

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' *EX PARTE*
APPLICATION FOR ORDER
SHORTENING TIME RE:
PLAINTIFFS' MOTION TO ENFORCE
PARTIES' FULLY EXECUTED
SETTLEMENT AGREEMENT AND TO
FILE MOTION UNDER SEAL**

[*Ex Parte* Application; Declaration of Nina
D. Boyajian Filed Concurrently Herewith]

Complaint Filed: September 29, 2009

Hon. Dolly M. Gee

1 The Court has considered the *Ex Parte* Application of Plaintiffs John G. Branca
2 and John McClain, Co-Executors of the Estate of Michael J. Jackson (the “Estate”) and
3 Triumph International, Inc. (collectively, “Plaintiffs”) for an order requesting that
4 Plaintiffs’ Motion to Enforce Parties’ Fully Executed Settlement Agreement
5 (“Motion”) be heard on shortened notice and be filed under seal (the “Application”).
6 Defendants’ conduct has caused extreme prejudice to Plaintiffs. Accordingly, good
7 cause showing, pursuant to Local Rules 7-19 and L.R. 79-5.1, Plaintiffs’ Application is
8 GRANTED.

9 Defendants informed Plaintiffs’ counsel of their breach of the fully executed
10 Settlement Agreement on May 13, 2011, less than six days before the parties were
11 ordered to file a stipulated dismissal or joint status report. As a result of Plaintiffs’
12 counsels’ travel schedules, if required to provide the minimum 28-day notice period,
13 the Motion could not be heard before July 11, 2011, causing extreme prejudice to
14 Plaintiffs. Because Plaintiffs were not at fault for creating the reasons necessitating the
15 shortened notice (or the Motion) the Court orders that Plaintiffs’ Motion be heard on
16 shortened notice, on June 13, 2011 at _____ o’clock, or early in that week on June
17 ____, 2011 at _____ o’clock. Opposing papers will be due on _____, 2011,
18 and Reply papers due on _____, 2011.

19 In addition, because the parties’ Settlement Agreement includes a confidentiality
20 provision, good cause exists for allowing Plaintiffs to file their Motion and supporting
21 documents under seal.

22 IT IS SO ORDERED.

23
24 Dated: May ____, 2011

25 Hon. Dolly M. Gee
26 United States District Judge
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