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8 UNITED STATES DISTRICT COURT
 9 SOUTHERN DISTRICT OF CALIFORNIA

10 ROBERT ALEXANDER KASEBERG,
 11
 12 Plaintiff,

13 v.

14 CONACO, LLC, TURNER
 BROADCASTING SYSTEM; TIME
 15 WARNER, INC.; CONAN O'BRIEN;
 JEFF ROSS; MIKE SWEENEY; DOES
 16 1-50, inclusive,
 17 Defendants.

CASE NO.: 15-CV-01637-JLS-DHB
 Hon. Janis L. Sammartino

**DEFENDANTS' OPPOSITION TO
 AND REQUEST FOR
 WITHDRAWAL OF PLAINTIFF'S
 AMENDED MOTION FOR AN
 EXTENSION OF TIME TO
 EFFECT SERVICE OF PROCESS**

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1 Defendants Conaco, LLC, Conan O'Brien, Jeff Ross, and Mike Sweeney
2 ("Conaco" or "Defendants"), by and through their undersigned counsel, submit this
3 opposition to and request for withdrawal of Plaintiff Robert Kaseberg's ("Plaintiff")
4 Amended Motion for an Extension of Time to Effect Service of Process Pursuant to
5 Fed. R. Civ. P. 4(m) and Local Rule 4.1(a) (hereinafter "Motion").

6 **I. ARGUMENT AND RELEVANT FACTS**

7 Defendants oppose Plaintiff's Motion on the grounds that the Motion is moot,
8 as all relevant parties have been served. Accordingly, Plaintiff should withdraw its
9 motion.

10 While the motion is moot, Defendants note for the record that any delay in the
11 effectuation of process is solely attributable to Plaintiff and its counsel. Plaintiff filed
12 the instant action on July 22, 2015, and made no attempt to serve Conaco, LLC until
13 September. Service was not attempted as to the remaining corporate entity
14 Defendants, Turner Broadcasting System and Time Warner Inc., until October,
15 despite all corporate entity Defendants having a publicly available agent for service of
16 process readily identifiable on the Secretary of State's website.

17 Further, Plaintiff made no attempt to serve the individuals named as
18 Defendants until this week, with the exception of sending a process server to the gates
19 of the Warner Bros. Studios property. The process server's failure to gain entry into
20 the gated, private studio to effectuate service is not surprising nor attributable to
21 Defendants, as this attempt at service was not even known to Defendants. When
22 service of process was attempted this week for the first time as to the individually
23 named Defendants, all accepted service without incident.

24 At no point have Defendants evaded service. Plaintiff's failure to effectuate
25 service is attributable solely to the fact that Plaintiff's counsel was dilatory in
26 effecting service of this Complaint filed over four months ago. Accordingly,
27 Defendants oppose Plaintiff's Motion as moot and request it be withdrawn.
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1 DATED: November 24, 2015

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3 By: /s/ Erica J. Van Loon
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