

ADRMOP

**U.S. District Court  
California Northern District (San Francisco)  
CIVIL DOCKET FOR CASE #: 3:20-cv-09355-MMC**

Kuciemba et al v. Victory Woodworks, Inc.  
Assigned to: Judge Maxine M. Chesney  
Case in other court: San Francisco Superior Court,  
CGC-20-587507  
Cause: 28:1332 Diversity-Personal Injury

Date Filed: 12/28/2020  
Jury Demand: Plaintiff  
Nature of Suit: 360 P.I.: Other  
Jurisdiction: Diversity

**Plaintiff**

**Corby Kuciemba**

represented by **Mark Thomas Freeman**  
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**Plaintiff**

**Robert Kuciemba**

represented by **Mark Thomas Freeman**  
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**Martin Zurada**

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V.

**Defendant**

**Victory Woodworks, Inc.**

*a Nevada Corporation*

represented by **William Alexander Bogdan**

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<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
12/28/2020	<a href="#"><u>1</u></a>	NOTICE OF REMOVAL from San Francisco Superior Court. Their case number is CGC-20-587507. (Filing fee \$402 receipt number 0971-15369678). Filed by Victory Woodworks, Inc.. (Attachments: # <a href="#"><u>1</u></a> Exhibit 1, # <a href="#"><u>2</u></a> Civil Cover Sheet)(Bogdan, William) (Filed on 12/28/2020) (Entered: 12/28/2020)
12/28/2020	<a href="#"><u>2</u></a>	Request for Judicial Notice re <a href="#"><u>1</u></a> Notice of Removal, filed by Victory Woodworks, Inc.. (Related document(s) <a href="#"><u>1</u></a> ) (Bogdan, William) (Filed on 12/28/2020) (Entered: 12/28/2020)
12/28/2020	<a href="#"><u>3</u></a>	Corporate Disclosure Statement by Victory Woodworks, Inc. identifying Corporate Parent Victory Woodworks, Inc. for Victory Woodworks, Inc.. (Bogdan, William) (Filed on 12/28/2020) (Entered: 12/28/2020)

12/28/2020	<a href="#">4</a>	Certificate of Interested Entities by Victory Woodworks, Inc. (Bogdan, William) (Filed on 12/28/2020) (Entered: 12/28/2020)
12/28/2020	5	<p>Case assigned to Magistrate Judge Joseph C. Spero.</p> <p>Counsel for plaintiff or the removing party is responsible for serving the Complaint or Notice of Removal, Summons and the assigned judge's standing orders and all other new case documents upon the opposing parties. For information, visit <i>E-Filing A New Civil Case</i> at <a href="http://cand.uscourts.gov/ecf/caseopening">http://cand.uscourts.gov/ecf/caseopening</a>.</p> <p>Standing orders can be downloaded from the court's web page at <a href="http://www.cand.uscourts.gov/judges">www.cand.uscourts.gov/judges</a>. Upon receipt, the summons will be issued and returned electronically. Counsel is required to send chambers a copy of the initiating documents pursuant to L.R. 5-1(e)(7). A scheduling order will be sent by Notice of Electronic Filing (NEF) within two business days. Consent/Declination due by 1/11/2021. (haS, COURT STAFF) (Filed on 12/28/2020) (Entered: 12/28/2020)</p>
12/28/2020	<a href="#">6</a>	<b>Initial Case Management Scheduling Order with ADR Deadlines: Case Management Statement due by 3/26/2021. Initial Case Management Conference set for 4/2/2021 02:00 PM in San Francisco, - Videoconference Only. (arkS, COURT STAFF) (Filed on 12/28/2020) (Entered: 12/28/2020)</b>
01/04/2021	<a href="#">7</a>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by Victory Woodworks, Inc... (Bogdan, William) (Filed on 1/4/2021) (Entered: 01/04/2021)
01/04/2021	<a href="#">8</a>	MOTION to Dismiss <i>for Failure to State A Claim [FRCP 12(b)(6)]</i> filed by Victory Woodworks, Inc.. Motion Hearing set for 2/12/2021 09:30 AM in San Francisco, Courtroom F, 15th Floor before Magistrate Judge Joseph C. Spero. Responses due by 1/19/2021. Replies due by 1/26/2021. (Attachments: # <a href="#">1</a> Declaration of William A. Bogdan, # <a href="#">2</a> Exhibit A, # <a href="#">3</a> Exhibit B, # <a href="#">4</a> Exhibit C, # <a href="#">5</a> Exhibit D, # <a href="#">6</a> Exhibit E, # <a href="#">7</a> Proposed Order)(Bogdan, William) (Filed on 1/4/2021) (Entered: 01/04/2021)
01/04/2021	<a href="#">9</a>	Request for Judicial Notice re <a href="#">8</a> MOTION to Dismiss <i>for Failure to State A Claim [FRCP 12(b)(6)]</i> filed by Victory Woodworks, Inc.. (Attachments: # <a href="#">1</a> Exhibit B, # <a href="#">2</a> Exhibit C, # <a href="#">3</a> Exhibit D, # <a href="#">4</a> Exhibit E)(Related document(s) <a href="#">8</a> ) (Bogdan, William) (Filed on 1/4/2021) (Entered: 01/04/2021)
01/05/2021	10	<p>CLERK'S NOTICE OF IMPENDING REASSIGNMENT TO A U.S. DISTRICT COURT JUDGE: The Clerk of this Court will now randomly reassign this case to a District Judge because either (1) a party has not consented to the jurisdiction of a Magistrate Judge, or (2) time is of the essence in deciding a pending judicial action for which the necessary consents to Magistrate Judge jurisdiction have not been secured. You will be informed by separate notice of the district judge to whom this case is reassigned.</p> <p>ALL HEARING DATES PRESENTLY SCHEDULED BEFORE THE CURRENT MAGISTRATE JUDGE ARE VACATED AND SHOULD BE RE-NOTICED FOR HEARING BEFORE THE JUDGE TO WHOM THIS CASE IS REASSIGNED.</p> <p><i>This is a text only docket entry; there is no document associated with this notice.</i> (klhS, COURT STAFF) (Filed on 1/5/2021) (Entered: 01/05/2021)</p>
01/05/2021	<a href="#">11</a>	<b>ORDER, Case Reassigned using a proportionate, random, and blind system pursuant to General Order No. 44 to Judge Maxine M. Chesney for all further</b>

		<b>proceedings. Magistrate Judge Joseph C. Spero no longer assigned to the case. Notice: The assigned judge participates in the Cameras in the Courtroom Pilot Project. See General Order No. 65 and <a href="http://cand.uscourts.gov/cameras..">http://cand.uscourts.gov/cameras..</a> Signed by The Clerk on 1/5/21. (Attachments: # <a href="#">1</a> Notice of Eligibility for Video Recording)(haS, COURT STAFF) (Filed on 1/5/2021) (Entered: 01/05/2021)</b>
01/05/2021	<a href="#">12</a>	<b>CASE MANAGEMENT SCHEDULING ORDER: Initial Case Management Conference set for 4/2/2021 at 10:30 AM in San Francisco, Courtroom 07, 19th Floor. Joint Case Management Statement due by 3/26/2021.. Signed by Judge Maxine M. Chesney on 1/5/2021. (tlS, COURT STAFF) (Filed on 1/5/2021) (Entered: 01/05/2021)</b>
01/05/2021	<a href="#">13</a>	Amended MOTION to Dismiss <i>Notice</i> filed by Victory Woodworks, Inc.. Motion Hearing set for 2/12/2021 09:00 AM in San Francisco, Courtroom 07, 19th Floor before Judge Maxine M. Chesney. Responses due by 1/19/2021. Replies due by 1/26/2021. (Attachments: # <a href="#">1</a> Proposed Order Amended)(Bogdan, William) (Filed on 1/5/2021) (Entered: 01/05/2021)
01/08/2021	<a href="#">14</a>	Certificate of Interested Entities by Corby Kuciemba, Robert Kuciemba (Venardi, Mark) (Filed on 1/8/2021) (Entered: 01/08/2021)
01/19/2021	<a href="#">15</a>	OPPOSITION/RESPONSE (re <a href="#">8</a> MOTION to Dismiss <i>for Failure to State A Claim [FRCP 12(b)(6)]</i> ) <i>Plaintiff's Memorandum of Points and Authorities in Support of Opposition to Defendant's Motion to Dismiss</i> filed by Corby Kuciemba, Robert Kuciemba. (Attachments: # <a href="#">1</a> Declaration Plaintiffs' Opposition to Defendant's Request for Judicial Notice, # <a href="#">2</a> Proposed Order Proposed Order Denying Defendant's Motion to Dismiss, # <a href="#">3</a> Certificate/Proof of Service Certificate of Service)(Freeman, Mark) (Filed on 1/19/2021) (Entered: 01/19/2021)
01/26/2021	<a href="#">16</a>	REPLY (re <a href="#">8</a> MOTION to Dismiss <i>for Failure to State A Claim [FRCP 12(b)(6)]</i> ) filed by Victory Woodworks, Inc.. (Bogdan, William) (Filed on 1/26/2021) (Entered: 01/26/2021)
02/08/2021	17	CLERK'S NOTICE - CHANGING HEARING TIME. FEBRUARY 12, 2021 MOTION HEARING TO BE HELD AT 2:00 PM BY ZOOM WEBINAR. Defendant's Motion to Dismiss Hearing reset to 2/12/2021 at 02:00 PM in San Francisco, - Videoconference Only before Judge Maxine M. Chesney. This proceeding will be held via a Zoom webinar.  <b>Webinar Access:</b> All counsel, members of the public, and media may access the webinar information at <a href="https://www.cand.uscourts.gov/mmc">https://www.cand.uscourts.gov/mmc</a>  <b>General Order 58.</b> Persons granted access to court proceedings held by telephone or videoconference are reminded that photographing, recording, and rebroadcasting of court proceedings, including screenshots or other visual copying of a hearing, is absolutely prohibited.  <b>Zoom Guidance and Setup:</b> <a href="https://www.cand.uscourts.gov/zoom/">https://www.cand.uscourts.gov/zoom/</a> .  Motion Hearing reset to 2/12/2021 at 02:00 PM in San Francisco, - Videoconference Only before Judge Maxine M. Chesney. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> , Set/Reset Deadlines as to <a href="#">13</a> Amended MOTION to Dismiss <i>Notice</i> .,(tlS, COURT STAFF) (Filed on 2/8/2021) (Entered: 02/08/2021)

02/12/2021	<a href="#">18</a>	<b>Minute Entry for proceedings held before Judge Maxine M. Chesney: Motion Hearing held on 2/12/2021. re <a href="#">8</a> MOTION to Dismiss <i>for Failure to State A Claim [FRCP 12(b)(6)]</i> filed by Victory Woodworks, Inc., <a href="#">13</a> Amended MOTION to Dismiss <i>Notice</i> filed by Victory Woodworks, Inc. Total Time in Court: 1 hour 33 minutes. Court Reporter: Katherine Sullivan - Zoom Webinar. Plaintiff Attorney: Mark Freeman. Defendant Attorney: William Bogdan. Attachment: Civil Minutes. (tIS, COURT STAFF) (Date Filed: 2/12/2021) (Entered: 02/12/2021)</b>
02/22/2021	<a href="#">19</a>	<b>ORDER GRANTING DEFENDANT'S MOTION TO DISMISS; AFFORDING PLAINTIFFS LEAVE TO AMEND.</b> The Motion to Dismiss is granted, and plaintiffs are afforded leave to file, no later than March 19, 2021, a First Amended Complaint. Signed by Judge Maxine M. Chesney on February 22, 2021. (mmclc2, COURT STAFF) (Filed on 2/22/2021) (Entered: 02/22/2021)
02/22/2021	<a href="#">20</a>	TRANSCRIPT ORDER for proceedings held on 02/12/2021 before Judge Maxine M. Chesney by Victory Woodworks, Inc., for Court Reporter Katherine Sullivan. (Bogdan, William) (Filed on 2/22/2021) (Entered: 02/22/2021)

<b>PACER Service Center</b>			
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02/23/2021 08:56:16			
<b>PACER Login:</b>	Renefolse:3905719:0	<b>Client Code:</b>	
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	3:20-cv-09355-MMC
<b>Billable Pages:</b>	4	<b>Cost:</b>	0.40