

1 STANLEY J. PANIKOWSKI (Bar No. 224232)  
stanley.panikowski@dlapiper.com  
2 DLA PIPER LLP (US)  
401 B Street, Suite 1700  
3 San Diego, CA 92101  
Tel: 619.699.2700  
4 Fax: 619.699.2701

5 Tamar Y. Duvdevani (*pro hac vice*) (NY Bar No. 4148847)  
tamar.duvdevani@dlapiper.com  
6 Matthew N. Ganas (*pro hac vice*) (NY Bar No. 5070636)  
matt.ganas@dlapiper.com  
7 DLA PIPER LLP (US)  
1251 Avenue of the Americas  
8 New York, New York 10020-1104  
Tel: 212.335.4500  
9 Fax: 212.335.4501

10 *Attorneys for Defendant NIKE, Inc.*

11 UNITED STATES DISTRICT COURT  
12 SOUTHERN DISTRICT OF CALIFORNIA

14 KAWHI LEONARD,

15 Plaintiff,

16 v.

17 NIKE, INC.,

18 Defendant.

CASE NO. 19-cv-01035-BAS-BGS

**DEFENDANT NIKE, INC.'S  
NOTICE OF MOTION AND  
MOTION TO TRANSFER VENUE**

Date: August 19, 2019  
**NO ORAL ARGUMENT UNLESS  
REQUESTED BY THE COURT**  
Courtroom: 4B  
Judge: The Hon. Cynthia A. Bashant

21  
22  
23  
24  
25  
26  
27  
28 WEST\287115345.1

1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD

2 PLEASE TAKE NOTICE that on August 19, 2019, Defendant NIKE, Inc.  
3 will and hereby does move this Court, located at 221 W. Broadway, San Diego,  
4 California 92101, for an order transferring this action to the District of Oregon  
5 pursuant to 28 U.S.C. 1404(a). This Motion is made following the conference of  
6 counsel that took place on July 9, 2019.

7 The Motion should be granted because the parties knowingly and willingly  
8 entered into a valid and enforceable forum selection agreement, which governs all  
9 asserted claims, defenses, and counterclaims in this action, and which establishes a  
10 court of competent jurisdiction in the State of Oregon as the exclusive venue to  
11 adjudicate this dispute.

12 This Motion is made pursuant to Civil Local Rule 7.1, and is based on this  
13 Notice of Motion and Motion, the accompanying Memorandum of Points and  
14 Authorities, the supporting Declaration of Dinusha Welliver and Exhibits 1-3  
15 thereto, all of which are served and filed herewith, Plaintiff's Complaint and NIKE,  
16 Inc.'s Answer and Counterclaims, and any argument of additional evidence that is  
17 permitted by this Court.

18 Dated: July 17, 2019

**DLA PIPER LLP (US)**

/s/ Tamar Y. Duvdevani

Stanley J. Panikowski  
401 B Street, Suite 1700  
San Diego, CA 92101  
Tel: 619.699.2700  
Fax: 619.699.2701

Of Counsel:

Tamar Y. Duvdevani (*pro hac vice*)  
Matthew N. Ganas (*pro hac vice*)  
1251 Avenue of the Americas  
New York, New York 10020-1104

28

WEST\287115345.1

-1-

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Tel: 212.335.4500

Fax: 212.335.4501

*Attorneys for Defendant NIKE, Inc.*