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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>PADAM KUMAR KHANNA,</p> <p style="text-align: center;">Plaintiff - Appellant,</p> <p>v.</p> <p>BALJIT RANDHAWA and JAGJIT SINGH RANDHAWA,</p> <p style="text-align: center;">Defendants - Appellees.</p>

No. 08-17249

D.C. No. 4:07-CV-05136-CW

MEMORANDUM*

Appeal from the United States District Court
for the Northern District of California
Claudia Wilken, District Judge, Presiding

Submitted June 29, 2010**

Before: ALARCÓN, LEAVY, and GRABER, Circuit Judges.

Padam Kumar Khanna, a disbarred California attorney, appeals pro se from the district court’s judgment dismissing his 42 U.S.C. § 1983 action alleging that defendants conspired with the State Bar of California to deprive him of his

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

attorney's license. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion the denial of a motion for default judgment. *Eitel v. McCool*, 782 F.2d 1470, 1471 (9th Cir. 1986). We affirm.

The district court did not abuse its discretion by denying Khanna's motion for default judgment given the lack of merit to the substantive claims, the insufficiency of the complaint, and the amount of money at stake. *See id.* at 1471-72 (setting forth factors that courts may consider in determining whether to enter default judgment); *Aldabe v. Aldabe*, 616 F.2d 1089, 1092-93 (9th Cir. 1980) (per curiam) (no abuse its discretion in denying motion for default judgment where substantive claims lacked merit).

Khanna's remaining contentions are unpersuasive.

AFFIRMED.