UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	**SA CV 13-1715 FMO**	Date	**November 5, 2013**
Title	**In re Kenny G Enterprises, LLC**		

Present: The Honorable	Fernando M. Olguin, United States District Judge	
Vanessa Figueroa	None	None
Deputy Clerk	Court Reporter / Recorder	Tape No.

Attorney Present for Plaintiff(s):	Attorney Present for Defendant(s):
None Present	None Present

Proceedings: **(In Chambers) Order to Show Cause Re: Dismissal**

On October 30, 2013, Freedom Investment Corp. ("Freedom") filed a Notice Regarding Appeal from Bankruptcy Court and an Emergency Motion for Stay Pending Appeal, Pursuant to Federal Rules of Bankruptcy Procedure Rule 8005 ("Motion to Stay"). On October 31, 2013, the court denied Freedom's Motion to Stay, which allowed the production of documents pursuant to the bankruptcy court's underlying order to proceed on November 1, 2013. It appears that the denial of the Motion to Stay may have mooted the relief sought in the appeal. Furthermore, it is not clear that the bankruptcy court's underlying order is appealable to this court pursuant to 28 U.S.C. § 158. Accordingly IT IS ORDERED THAT:

1. No later than **November 12, 2013**, appellant shall show cause in writing why this action should not be dismissed for the reasons noted above. Failure to submit a response by the deadline set forth above may be deemed as consent to the dismissal of the action without prejudice. Thomas H. Casey, the Chapter 7 Trustee of the bankruptcy estate of Kenny G Enterprises, LLC, may submit a response in the same time period.

2. A copy of all papers filed with the court shall be delivered to the drop box outside chambers at Suite 520, Spring Street Courthouse, 312 North Spring Street, **no later than 12:00 noon the following business day**. All chambers copies shall comply fully with the document formatting requirements of Local Rule 11-3, including the "backing" requirements of Local Rule 11-3.5. Counsel may be subject to sanctions for failure to deliver a mandatory chambers copy in full compliance with this Order and Local Rule 11-3.

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Initials of Preparer		vdr	