1	McCormick, Barstow, Sheppard, Wayte & Carruth LLP	
2	D. Greg Durbin, #81749	
3	greg.durbin@mccormickbarstow.com John M. Dunn, #166482	
4	<i>john.dunn@mccormickbarstow.com</i> Daniel S. Cho, #260902	
5	daniel.cho@mccormickbarstow.com 7647 North Fresno Street	
	Fresno, California 93720	
6	Telephone: (559) 433-1300 Facsimile: (559) 433-2300	
7	Attorneys for Plaintiffs, Defendants and Cross-	
8	Defendants FOX HOLLOW OF TURLOCK	
9	OWNERS ASSOCIATION and CALIFORNIA EQUITY MANAGEMENT GROUP, INC. and	
10	Defendant and Cross-Defendant ANDREW KATAKIS	
11	UNITED STATES DISTRICT COURT	
12	EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION	
13		
14	FOX HOLLOW OF TURLOCK OWNERS'	Case No. 1:03-CV-05439-AWI-SAB
15	ASSOCIATION, a California Nonprofit Mutual Benefit Corporation; et al.,	NOTICE OF ORDER MODIFYING
16	Plaintiffs,	BANKRUPTCY STAY AND REQUEST TO SET STATUS CONFERENCE AND
17	v.	ORDER
18	RICHARD SINCLAIR, an individual; et al.,	Judge: Hon. Anthony W. Ishii Crtrm.: 2
19	Defendants.	Trial Date: July 21, 2015
20	AND CONSOLIDATED ACTIONS	
21		
22	TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:	
23	NOTICE OF ORDER MODIFYING BANKRUPTCY STAY	
24	PLEASE TAKE NOTICE that in the bankruptcy proceeding previously filed by Defendant	
25	Richard Sinclair in the United States Bankruptcy Court, Eastern District of California, Case No. 14-	
26	91565-E-11, the Bankruptcy Court, in Adversary Proceeding No. 15-09008 therein, issued an Order	
27	on May 4, 2015 modifying the automatic stay to allow Plaintiffs California Equity Management	
28	Group, Inc. and Fox Hollow of Turlock Owners' Association ("Plaintiffs"), and each of them, and	

1	their attorneys, agents and representatives, to litigate to final judgment, including all appeals therefore,	
2	the claims, rights, and interests asserted herein and in this consolidated action. [Adv. Proc. 15-09008,	
3	Dkt. #19]. A true and correct copy of the Bankruptcy Court's May 4, 2015 Order Modifying	
4	Automatic Stay is attached hereto as Exhibit "A".	
5	REQUEST FOR THE COURT TO SET STATUS CONFERENCE	
6	In light of the May 4, 2015 Order Modifying Automatic Stay permitting Plaintiffs to proceed	
7	on its claims herein, Plaintiffs request, pursuant to and in accordance with Local Rule 240, that the	
8	Court set a status conference on June 3, 2015, at 8:30 am, to coincide with the pretrial conference set	
9	herein for the trial of the action against the defendants against who a default has not been entered, with	
10	the purpose of the status conference being the setting of a hearing for the purposes of a prove up on	
11	damages against the defendants who have had their defaults entered herein on the Consolidated	
12	Amended Complaint (Docket #410), filed July 21, 2010. The defaulted defendants include Defendant	
13	Mauctrst LLC, whose default was entered by order of the Court on March 11, 2014 [Dkt. # 1012],	
14	and Defendants Richard Sinclair, Brandon Sinclair, Lairtrust LLC, and Capstone LLC, whose defaults	
15	were entered by order of this Court on September 26, 2014 [Dkt. # 1070].	
16	Dated: May 11, 2015 Respectfully submitted,	
17	McCORMICK, BARSTOW, SHEPPARD, WAYTE & CARRUTH LLP	
18		
19		
20	By: Daniel S. Cho D. Greg Durbin	
21	Daniel S. Cho Attorneys for Plaintiffs, Defendants and Cross-	
22	Defendants FOX HOLLOW OF TURLOCK OWNERS ASSOCIATION and CALIFORNIA	
23	EQUITY MANAGEMENT GROUP, INC. and	
24	Defendant and Cross-Defendant ANDREW KATAKIS	
25		
26		
27		
28		

ORDER SETTING STATUS CONFERENCE In light of the Bankruptcy Court's May 4, 2015 Order Modifying Automatic Stay (Bktcy Case No. 14-915650-E-11; Adv. Proc. 15-09008, Adv. Proc. Dkt. #19), the Court hereby sets a status conference for JUNE 4, 2015 at 10:00 a.m. in Courtroom 2 to set a hearing date to determine damages against Defendants Mauctrst LLC, Richard Sinclair, Brandon Sinclair, Lairtrust LLC, and Capstone LLC on the Consolidated Amended Complaint filed July 21, 2010 [Dkt. # 410]. The Pretrial Conference previously scheduled for June 3, 2015 at 8:30 a.m. is rescheduled for JUNE 4, 2015 at 10:00 a.m. in Courtroom 2. IT IS SO ORDERED. Dated: May 11, 2015 SENIOR DISTRICT JUDGE

MCCORMICK, BARSTOW, SHEPPARD, WAYTE & CARRUTH LLP 7647 NORTH FRESNO STREET FRESNO, CA 93720