

1 D. Greg Durbin, # 81749  
 John M. Dunn, # 166482  
 2 Daniel S. Cho, # 260902  
 McCormick, Barstow, Sheppard,  
 3 Wayte & Carruth LLP  
 P.O. Box 28912  
 4 5 River Park Place East  
 Fresno, CA 93720-1501  
 5 Telephone: (559) 433-1300  
 Facsimile: (559) 433-2300

(SPACE BELOW FOR FILING STAMP ONLY)

6 Attorneys Plaintiffs, Defendants and Cross-Defendants  
 7 FOX HOLLOW OF TURLOCK OWNERS  
 ASSOCIATION and CALIFORNIA EQUITY  
 8 MANAGEMENT GROUP, INC. and Defendant and  
 Cross-Defendant ANDREW KATAKIS

9  
 10 UNITED STATES DISTRICT COURT  
 11 EASTERN DISTRICT OF CALIFORNIA

12  
 13 FOX HOLLOW OF TURLOCK  
 OWNERS' ASSOCIATION, a California  
 14 Nonprofit Mutual Benefit Corporation; et.  
 al.,

Case No. 1:03-CV-05439-OWW-DLB

(Consolidated with 1:03-CV-5774 OWW SMS  
 and Stanislaus County Superior Court Case No.  
 322675)

15 Plaintiffs,

16 v.

17 MAUCTRST LLC; et. al.,

**ORDER GRANTING THE CEMG/FOX  
 HOLLOW PARTIES': (1) MOTION TO  
 SEVER AND STAY BALANCE OF CROSS-  
 COMPLAINT [Doc. 477]; AND (2) MOTION  
 TO SEVER AND STAY COUNTERCLAIM  
 BY LAIRTRUST, LLC [Doc. 480]**

18 Defendants.

19  
 20 AND CONSOLIDATED ACTIONS

21  
 22 Plaintiffs, Defendants, and Cross-Defendants FOX HOLLOW OF TURLOCK OWNERS  
 23 ASSOCIATION, CALIFORNIA EQUITY MANAGEMENT GROUP, INC., and Defendant and  
 24 Cross-Defendant ANDREW KATAKIS (collectively, the "CEMG/Fox Hollow Parties"), having  
 25 (1) filed their Motion to Sever and Stay Balance of Cross-Complaint in Response to Order  
 26 Granting in part, Cross-Defendants' Motion to Dismiss Cross-Complaint, or in the Alternative,  
 27 Sever and Stay Cross-Complaint on February 4, 2011 ("Motion to Stay Balance of Cross-  
 28

ORDER GRANTING (1) MOTION TO STAY BALANCE OF CROSS-COMPLAINT; AND (2) MOTION TO  
 STAY COUNTERCLAIM

1 Complaint”) [Docket # 477] as to the Cross-Complaint filed herein on August 10, 2010 [Docket #  
2 425] by Cross-Complainants GREGORY MAUCHLEY, RICHARD SINCLAIR, and  
3 BRANDON SINCLAIR; and (2) also having filed their Motion to Sever and Stay Counterclaim  
4 by LAIRTRUST, LLC on February 14, 2011 ("Motion to Stay Counterclaim") [Docket # 480] as  
5 to the Counterclaims filed herein on January 19, 2011 [Docket # 471] by Counterclaimant  
6 LAIRTRUST, LLC, and the Court having issued its Memorandum of Decision on April 29, 2011,  
7 granting such Motion to Stay Balance and Motion to Stay Counterclaim, and providing notice  
8 thereof to the parties through the electronic filing system:

9  
10 NOW, THEREFORE, IT IS HEREBY ORDERED that CEMG/Fox Hollow Parties'  
11 Motion to Sever and Stay Balance of Cross-Complaint in Response to Order Granting in part,  
12 Cross-Defendants' Motion to Dismiss Cross-Complaint, or in the Alternative, Sever and Stay  
13 Cross-Complaint filed on February 4, 2011 [Docket # 477] be and hereby is GRANTED in its  
14 entirety;

15 IT IS HEREBY FURTHER ORDERED that the CEMG/Fox Hollow Parties' Motion to  
16 Sever and Stay Counterclaims by LAIRTRUST, LLC filed on February 14, 2011 [Docket # 480]  
17 be and hereby is GRANTED in its entirety.

18 IT IS SO ORDERED.

19  
20 Dated: May 11, 2011

21  
22 /s/ OLIVER W. WANGER  
23 UNITED STATES DISTRICT COURT JUDGE