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**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA**

**FOX HOLLOW OF TURLOCK  
OWNERS' ASSOCIATION, a  
California Nonprofit Mutual Benefit  
Corporation, et al.,**

**Plaintiffs,**

**v.**

**MAUCTRST LLC; et al,  
Defendants.**

**AND CONSOLIDATED ACTIONS**

**1:03-5439 AWI DLB**

**ORDER SETTING HEARING  
DATES AND REFERRING THIS  
ACTION TO MAGISTRATE JUDGE  
DENNIS L. BECK FOR A STATUS  
CONFERENCE**

On September 8, 2011, Senior District Court Judge Oliver W. Wanger entered an order resolving several pending motions. The order also requested further briefing on certain issues.

On September 14, 2011, this action was re-assigned to Magistrate Judge Dennis L. Beck in light of Judge Wanger's then pending retirement. On October 11, 2011, this action was re-assigned to the undersigned because not all parties were willing to consent to Magistrate Judge Jurisdiction.

The undersigned has spent considerable time reviewing Judge Wanger's prior orders and the entire docket of this case, which totals 806 docket entries.

1 In an attempt to have this action proceed in a timely fashion,<sup>1</sup> the court ORDERS as  
2 follows:

- 3 1. The pending motion to strike the first amended counter-claim (docket entry 799)  
4 is set for oral argument on December 13, 2011;
- 5 2. The pending motions for sanctions and amended motions for sanctions (docket  
6 entries 784, 785, and 786) are set for oral argument on December 13, 2011; and
- 7 3. This action is referred to Magistrate Judge Beck for a status conference. Ten  
8 days before the status conference, the parties are ORDERED to provide Judge  
9 Beck with information on any additional pending motions and the parties'  
10 estimate of when a scheduling conference can be held to set formal dates to close  
11 discovery and resolve potential dispositive motions. Judge Beck will set this  
12 status conference and notify the parties of the status conference's date and time at  
13 his convenience.

14 IT IS SO ORDERED.

15 Dated: October 26, 2011

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18 CHIEF UNITED STATES DISTRICT JUDGE  
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26 <sup>1</sup> The parties are forewarned that the Fresno Division of the Eastern District of California  
27 now has the heaviest District Judge caseload in the entire nation. While the court will use its  
28 best efforts to resolve this and all civil cases in a timely manner, the parties are admonished that  
not all of the parties' needs and expectations may be met as expeditiously as desired. The  
parties are reminded of the availability of a United States Magistrate Judge to conduct all  
proceedings in this action.