## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION

CASE NO. 1:09-cv-01609 OWW-JLT

Assigned to: Hon. Oliver W. Wanger/Room

## ORDER RE STATUS CONFERENCE **ON SEPTEMBER 17, 2010**

Date: September 17, 2010

Time: 11:00am Courtroom: 3

District Judge: Oliver W. Wanger Magistrate Judge: Jennifer L. Thurston

Action filed: July 24, 2009 Trial Date: May 24, 2011

On September 17, 2010, at the request of the parties, the above-entitled case came on for hearing for a status conference before the Court, the Honorable Oliver W. Wanger presiding. Barry M. Appell appeared telephonically for Plaintiff, and Richard Y. Chen and Kathy H. Gao

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## GOOD CAUSE HAVING BEEN SHOWN THEREFORE:

## IT IS HEREBY ORDERED that:

- 1. Plaintiff's counsel was directed to serve the bankruptcy trustee with notice of Defendants' Motion to Dismiss, a copy of the complaint in this case, and to provide notice to the trustee that Plaintiff's counsel believes that the bankruptcy claim for this lawsuit has been technically abandoned, and to request from the trustee a statement of abandonment:
- Plaintiff shall include notice to the trustee that Plaintiff and Defendant seek an order Confirming abandonment of the claim by the Bankruptcy Trustee in this court at the Upcoming hearing.
- 3. The trial date will be continued and the parties are ordered to meet and confer and submit to the Court a proposed stipulation and order for the new trial and related dates;
- 4. The parties are ordered to continue and complete discovery;
- 5. Plaintiff's counsel was ordered to prepare the order for this conference.

IT IS SO ORDERED.

Dated: September 24, 2010 /s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE

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