1			
2			
3			
4			
5			
6			
7			
8	IN THE UNITED STATES DISTRICT COURT		
9	FOR THE EASTERN DISTRICT OF CALIFORNIA		
10			
11	LISA COBLE,) CASE NO. 1:10-cv-00259 AWI JLT	
12	Plaintiff,)) ORDER VACATING CONTINUING MID-	
13	V.) DISCOVERY STATUS CONFERENCE;) ORDER REQUIRING PARTIES TO FILE	
14	MARK DEROSIA, et. al,) STATUS REPORTS	
15	Defendants.) (Doc. 18)	
16		,	
17			
18	At the time of the mid-discovery status conference held on November 8, 2010, Plaintiff's		
19	attorney, Mr. Rumpf, reported that it had been discovered that Plaintiff had declared bankruptcy but that		
20	this litigation was not listed as an asset of the estate. Mr. Rumpf reported further that he was in the		
21	process of learning the ramifications of this failure from Plaintiff's bankruptcy attorney.		
22	Now the parties have reported that Plaintiff's bankruptcy action was discharged in May 2009 but		
23	that Plaintiff's bankruptcy attorney would be taking steps to determine whether that action could be		
24	reopened in order to address this litigation as an asset retained by Plaintiff. (Doc. 18) Defendants have		
25	indicated that they will seek dismissal of this action due to Plaintiff's failure to retain "ownership" of		
26	the litigation in the bankruptcy proceeding. <u>Id.</u>		
27	Based upon the foregoing, the Court ORDERS,		
28	1. The mid-discovery status conference scheduled for December 8, 2010 is continued to		
		1	

1		February 9, 2011 at 8:30 a.m. at 1200 Truxtun Avenue, Suite 120, Bakersfield, CA.
2		Telephonic appearances are permitted <u>if the parties notify the Court</u> , by sending an e-mail
3		to jltorders@caed.uscourts.gov one week before the hearing that they will appear by
4		telephone. The parties are ORDERED to file a joint, mid-discovery status report at least
5		one week in advance of the hearing;
6	2.	No later than January 4, 2011, the parties are ORDERED to file a report outlining the
7		status of the bankruptcy proceeding and the parties' positions relative to it.
8	3.	The parties are ORDERED to file a status report <u>whenever</u> it appears that a stay of this
9		action is needed or if it is determined that Plaintiff cannot proceed in this litigation.
10		
11	IT IS SO OR	DERED.
12	Dated: Dec	ember 2, 2010 /s/ Jennifer L. Thurston UNITED STATES MAGISTRATE JUDGE
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
		2