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

**BASKIN ROBBINS FRANCHISING,
LLC, a Delaware limited liability
company, and BR IP HOLDER, LLC, a
Delaware limited liability company,**

Plaintiffs,

v.

**BARDALE, INC., a California
corporation, JIM DALE, and ERIN
DALE,**

Defendants.

1:10-cv-1535 AWI GSA

**ORDER DENYING MOTION
FOR STAY**

(Doc. No. 26)

On August 22, 2011, Defendants filed a motion to stay. See Court’s Docket Doc. No. 26. The motion is a notice of bankruptcy by Defendants Jim Dale and Erin Dale. See id. The filing of a bankruptcy would normally result in an automatic stay of this case. See 11 U.S.C. § 362(a); Eskanos & Adler, P.C. v. Leetien, 309 F.3d 1210, 1212 (9th Cir. 2003).

However, this case terminated in February 2011. The Court adopted findings and recommendations, closed the case, issued a permanent injunction, and entered judgment between February 3 and February 25 of this year. See Court’s Docket Doc. Nos. 18, 19, 21. With respect to the permanent injunction, Defendants had 14 days in which to comply, and there has been no indication that full compliance did not occur. See id. at Doc. No. 19. An abstract of judgment

1 was issued on May 9, 2011. See id. at Doc. No. 25. The next, and last, filing in this case was the
2 motion for stay. See id. at Doc. No. 26. There are no other pending motions, and the time for
3 filing an appeal has long passed. See Fed. R. App. Pro. 4. The Court is aware of no ongoing
4 activity in this case. Because there are no outstanding motions (save this motion to stay) and
5 otherwise no activity regarding this case whatsoever, this case terminated in February 2011, and
6 remains terminated. As such, without additional explanation from Defendants, the Court is
7 unaware of anything to stay.

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9 Accordingly, IT IS HEREBY ORDERED that Defendant's motion to stay is DENIED as
10 moot because this case terminated in February 2011.

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12 IT IS SO ORDERED.

13 Dated: August 24, 2011

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16 CHIEF UNITED STATES DISTRICT JUDGE
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