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8 **UNITED STATES DISTRICT COURT**  
9 **EASTERN DISTRICT OF CALIFORNIA**  
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11 WESTERN RESERVE LIFE ASSURANCE ) Case No.: 1:11-cv-01751 AWI JLT  
12 CO. OF OHIO, )  
13 ) ORDER CONTINUING STATUS CONFERENCE  
14 Plaintiff, )  
15 v. )  
16 EDUARDO CANUL, et al., )  
17 Defendants. )  
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18 On January 4, 2013, the parties filed a joint status report in which they report that the estate of  
19 the decedent has been opened but the administrator's applications for the required bond has been  
20 denied by three insurance companies and the fourth insurance company has not yet responded. (Doc.  
21 38 at 2) There is no indication that there is reason to believe the fourth bond agent will provide the  
22 bond. Likely due to this, Mr. Beckwith has prepared a motion to file with the Probate Court seeking  
23 relief from the bond requirement. Id. Inexplicably, this motion has not yet been filed. Id.

24 Given the status of this case, the funds cannot be paid into the probate estate and this current  
25 matter cannot proceed. Therefore, the Court **ORDERS:**

26 1. The status conference currently set on January 9, 2013 is continued to **March 7, 2013**  
27 at 9:00 a.m. Appearance via CourtCall is permitted;  
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2. A joint status report **SHALL** be filed by counsel **no later than February 22, 2013.**

The Court **expects** that progress will be made by that time such that the administrator has posted a bond, the requirement for the bond has been lifted or counsel has sought the appointment of a successive administrator who is able to obtain a bond.

IT IS SO ORDERED.

Dated: **January 8, 2013**

**/s/ Jennifer L. Thurston**  
UNITED STATES MAGISTRATE JUDGE