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2 California Bar No. (#196410)
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8 Attorney for Plaintiff,
9 Industrial Enterprises of America, Inc.

10 **UNITED STATES DISTRICT COURT**
11 **EASTERN DISTRICT OF CALIFORNIA (FRESNO DIVISION)**

14 INDUSTRIAL ENTERPRISES OF
15 AMERICA, INC.,
16 On behalf of itself and as assignee of its
17 shareholders,

18 Plaintiff,

19 v.

20 TIMOTHY J. LAWLER et al.,

21 Defendants.

Case No.: 1:15-mc-00006-SAB

**ORDER TO VACATE DEBTOR
EXAMINATION OF
TIMOTHY J. LAWLER**

Date: June 3, 2015

Time: 10:00 a.m.

Courtroom: 9

Magistrate Judge Stanley A. Boone

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23 PLAINTIFF, Industrial Enterprises of America, Inc., (“Plaintiff”), by and through
24 its counsel of record, Robert J. Gralewski, Jr., hereby requests that the Debtor
25 Examination of Timothy J. Lawler (“Defendant”), currently set for June 3, 2015, be
26 vacated without prejudice and subject to reinstatement based on the following:

27 WHEREAS on or about February 4, 2015, Plaintiff filed its registration of Foreign
28 Judgment against Judgment Debtor, Timothy J. Lawler (Docket No. 1);

1 WHEREAS on or about March 10, 2015, Plaintiff filed a Request for an Issuance
2 of Abstract of Judgment (Docket No. 3);

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4 WHEREAS on or about March 11, 2015, the Court entered its Issuance of Abstract
5 of Judgment (Docket No. 4);

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7 WHEREAS on or about March 18, 2015, Plaintiff filed its Application for
8 Appearance for Examination Regarding Enforcement of Judgment against Judgment
9 Debtor (Docket No. 5);

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11 WHEREAS on or about March 20, 2015, the Court entered its Order for
12 Appearance and Examination of Judgment Debtor Timothy J. Lawler (Docket No. 6) and
13 for the Examination to proceed on June 3, 2015, at 10:00 a.m. in Courtroom 9; and

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15 WHEREAS Defendant's Counsel is voluntarily assembling documentation which,
16 at this time, moots the need for a debtor's examination.

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1 NOW, THEREFORE, Plaintiff requests that the Debtor's Examination of Timothy
2 J. Lawler in the above captioned matter be vacated in light of the foregoing, without
3 prejudice to Plaintiff to re-apply at a later date.
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5 Dated: May 29, 2015

By: /s/ Robert J. Gralewski, Jr.

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7 Robert J. Gralewski, Jr.
8 California Bar No. (#196410)
9 **KIRBY McINERNEY LLP**
10 Attorney for Plaintiff,
11 Industrial Enterprises of America, Inc.

12 IT IS SO ORDERED.

13 Dated: June 2, 2015

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UNITED STATES MAGISTRATE JUDGE