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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

NEWCO ENERGY ACQUISITIONS
HOLDINGS, LLC,

Plaintiff,

v.

DAVID SCHULGEN, et al.,

Defendants.

No. 1:15-mc-00027 SKO

**ORDER DENYING WITHOUT
PREJUDICE MOTION TO ENFORCE
JUDGMENT AND REASSIGNING CASE**

Old Case Number: 1:15-mc-00027 SKO

New Case Number: 1:15-mc-00027 JLT

The Court is in receipt of Defendants and Judgment Creditors David Shulgen’s and Jeff Duff’s “Motion Authorizing Sale of Stock and Credit Bid,” filed November 30, 2016 (the “Motion”), pursuant to a Writ of Execution issued February 24, 2016. (Doc. 12) Under California Code of Civil Procedure § 699.510(a)¹, the Writ of Execution expired 180 days after issuance, or August 22, 2016. Accordingly, the Motion is DENIED WITHOUT PREJUDICE subject to being renewed upon issuance of a valid Writ of Execution, *see* Cal. Code Civ. Proc. § 699.510(a), and the hearing set for January 4, 2017, is VACATED.

Furthermore, due to the location of the parties, in particular the judgment creditors, and of the proposed location for the execution sale, the Court has determined that this case should be reassigned to the docket of United States Magistrate Judge Jennifer L. Thurston in the Bakersfield Division of the United States District Court for the Eastern District of California.

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¹ A federal district court has the authority to enforce money judgments in accordance with the practice and procedure of the state in which it sits. Fed. R. Civ. P. 69(a); *Paul Revere Ins. Grp. v. United States*, 500 F.3d 957, 960 (9th Cir. 2007).

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The new case number shall be **1:15-mc-00027 JLT**. All future pleadings shall be so numbered. Failure to use the correct case number may result in delay in documents being received by the correct judicial officer.

IT IS SO ORDERED.

Dated: **January 3, 2017**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE