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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

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CHARLES H. LEWIS and JANE W.            NO. CIV. S-03-2646 WBS KJM  
LEWIS,

Plaintiffs,

REQUEST FOR BRIEFING

v.

ROBERT D. RUSSELL; IRENE  
RUSSELL; BEN J. NEWITT; the  
Estate of PHILLIP NEWITT,  
Deceased; JUNG HANG SUH; SOO  
JUNG SUH; JUNG K. SEO; THE DAVIS  
CENTER, LLC; MELVIN R. STOVER,  
individually and as trustee of  
the Stover Family Trust; EMILY  
A. STOVER, individually and as  
trustee of the Stover Family  
Trust; STOVER FAMILY TRUST;  
RICHARD ALBERT STINCHFIELD,  
individually and as successor  
trustee of the Robert S.  
Stinchfield Separate Property  
Revocable Trust, and as trustee  
of the Barbara Ellen Stinchfield  
Testamentary Trust; ROBERT S.  
STINCHFIELD SEPARATE PROPERTY  
REVOCABLE TRUST; THE BARBARA  
ELLEN STINCHFIELD TESTAMENTARY  
TRUST; WORKROOM SUPPLY, INC., a  
California corporation; SAFETY-  
KLEEN CORPORATION, a California  
corporation; the CITY OF DAVIS;  
JENSEN MANUFACTURING COMPANY;  
VIC MANUFACTURING COMPANY;  
MARTIN FRANCHISES INC., aka/dba

1 MARTINIZING DRY CLEANING,  
2 Defendants.

3  
4 AND RELATED COUNTER, CROSS,  
5 AND THIRD PARTY CLAIMS.

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7 On December 14, 2005, Magistrate Judge Hollows issued  
8 an Order recognizing that Jung Hang Suh and Soo Jung Suh  
9 ("Suhs"), defendants, cross-defendants, counter-defendants,  
10 counter-claimants, and cross-claimants in this action, had filed  
11 for bankruptcy. Given the stay of litigation for the purposes of  
12 settlement then in effect, Judge Hollows acknowledged the  
13 uncertain effect of an automatic stay pursuant to 11 U.S.C. § 362  
14 but nonetheless ordered that the Suhs need not participate in the  
15 settlement process. In light of the September 12, 2008 Order  
16 dissolving the stay of litigation, the court requests briefing  
17 from the non-bankrupt parties addressing the effect § 362 has on  
18 the future proceedings in this action.<sup>1</sup> The non-bankrupt parties  
19 are to state their positions and supporting authority in briefs  
20 filed with the court by 5:00 p.m. on Tuesday, April 7, 2009.

21 DATED: April 1, 2009

22 

23 WILLIAM B. SHUBB  
24 UNITED STATES DISTRICT JUDGE

25  
26  
27 <sup>1</sup> In addition to the Suhs, it appears that defendant  
28 Jensen Manufacturing Company, which has yet to be served, has  
also filed for bankruptcy. (See Am. Joint Status Report (Docket  
No. 250) 7:25-27.)