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

SERGEI PORTNOY,

Plaintiff,

No. CIV S-04-1462 GEB JFM PS

vs.

WASHINGTON MUTUAL BANK, F.A.,

ORDER

Defendant.

_____ /

Plaintiff is proceeding pro se with a third amended complaint alleging, *inter alia*, breach of contract, violation of the Federal Fair Credit Reporting Act, 15 U.S.C. § 1681, and violation of Federal Regulation “[12] CFR 229 Subpart B (Availability of Funds).” On May 25, 2005, defendant’s motion to compel arbitration and motion to stay was granted. On December 14, 2005, plaintiff filed a request for further proceedings, and on February 9, 2006, plaintiff’s request was granted and this action was reopened and set for status conference on March 2, 2006.

On February 15, 2006, defendant filed a motion to confirm the arbitration award, noticing the motion for hearing on March 2, 2006. This motion did not provide the notice required by Local Rule 230. Accordingly, the court will continue this matter to provide plaintiff sufficient time to file an opposition to the motion.

In light of the foregoing, IT IS HEREBY ORDERED that:

1 1. The March 2, 2006 status conference is vacated; and

2 2. Defendant's February 15, 2006 motion to confirm the arbitration award is
3 continued to April 13, 2006 at 11:00 a.m. in Courtroom #25 before the undersigned.

4 3. Any supplemental opposition to this motion shall be filed not more than
5 twenty-one days from the date of this order; movant's reply is due seven days after the opposition
6 is served.

7 DATED: February 28, 2006.

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10 UNITED STATES MAGISTRATE JUDGE

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