

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

INTEGON PREFERRED INSURANCE
CO.

Plaintiff,

vs.

SUSANA ISZTOJKA, d/b/a California
Gold Star Hauling,

Defendant.

FRANCESCA EISENBRANDT;
CONNIE EISENBRANDT; and SCOTT
EISENBRANDT,

Intervenors.

No. 2:07-cv-00526-TMB

ORDER

[Re: Applicability of
California Insurance Code § 16340]

At Docket No. 98 Plaintiff Integon Preferred Insurance Co. has requested that the court first determine whether California Vehicle Code § 16430 applies to this case.^{1/} In the interests of the parties and the court, the Court will consider Plaintiff's request.

IT IS THEREFORE ORDERED THAT, not later than **February 15, 2011**, Intervenors Francesca Eisenbrandt, Connie Eisenbrandt, and Scott Eisenbrandt are to serve and file a Memorandum of Law, not exceeding five (5) pages in length, solely addressing the issue of the applicability of California Vehicle Code § 16340 to this case.

Dated: February 10, 2011

s/ Timothy M. Burgess
TIMOTHY M. BURGESS
United States District Judge

^{1/} See *Barrera v. State Farm Mut. Ins. Co.*, 456 P.2d 674, 681 (Cal. 1960).