

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: Advisory Jury]

The gravaman of this action sounds in equity, i.e., rescission of an insurance policy. The matter is scheduled for trial before an advisory jury. After review of the pretrial statements filed by the parties, it is unclear to the court precisely which disputed material issues of fact either party has requested be submitted to the jury.

IT IS THEREFORE ORDERED THAT, not later than the close of business, Thursday, **February 17, 2011**, each party advise the court specifically:

1. Whether a jury trial is requested on any material disputed issue of fact; and
2. If a jury trial is requested on a material issue of fact, identify with particularity the question to be submitted to the jury.

IT IS FURTHER ORDERED THAT a failure to comply with this Order will be deemed by the court as consent by that party to a bench trial without an advisory jury.

Dated: February 16, 2011

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