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

MARILYN DILLARD, et al.,

Plaintiffs,

No. CIV S-08-1339 FCD GGH PS

vs.

VICTORIA M. MORTON
ENTERPRISES, et al.,

Defendants.

ORDER

RUTH GALTIERI-CARLSON, et al.,

Plaintiffs,

No. CIV S-08-1777 FCD GGH PS

vs.

VICTORIA M. MORTON
ENTERPRISES, et al.,

Defendants.

Before the court is plaintiffs' request for entry of default against defendants
Victoria M. Morton Enterprises, Inc., Suddenly Slender, and Suddenly Slender International,
filed August 14, 2009. Also before the court is a stipulated proposed order for extending case

1 management dates, filed August 14, 2009. On August 20, 2009, this court issued an order to
2 show cause why these actions should not be stayed pending conclusion of bankruptcy
3 proceedings. Plaintiffs' counsel has filed a response.

4 Turning first to the order to show cause, the affidavit of plaintiffs' counsel,
5 William Brelsford, states that Ms. Morton confirmed to him that she had not yet filed
6 bankruptcy, as did her bankruptcy counsel, who indicated to Mr. Brelsford that he would notify
7 him if plaintiff did file bankruptcy. Based on this response, the order to show cause is
8 discharged. Nevertheless, Victoria Morton will be directed to file a statement in twenty days of
9 this order, indicating whether she has filed bankruptcy proceedings.

10 The court declines to rule on the parties' stipulated request¹ to extend case
11 management dates in light of the pending entries of default and the potential bankruptcy of the
12 individual defendant Victoria Morton. When Ms. Morton responds to the aforementioned
13 directive in twenty days, the court will then consider the parties' stipulated request.

14 Accordingly, IT IS ORDERED that:

15 1. Within twenty days of this order, Victoria Morton shall file a statement
16 indicating whether she has filed bankruptcy proceedings.

17 2. All corporate defendants, including Pyramid Consulting and Investment
18 Company, shall retain counsel within ten days of this order and file substitutions of counsel.
19 Failure to do so will result in entry of default of the non-complying corporate defendants.

20 DATED: September 8, 2009

/s/ Gregory G. Hollows

21 _____
GREGORY G. HOLLOWES
22 U. S. MAGISTRATE JUDGE

23 GGH:076:Dillard1339.ord.wpd

24 _____
25 ¹ The stipulated request is signed by Victoria Morton, "individually and in her capacity as
26 corporate representative for unrepresented defendants Victoria M. Morton Enterprises, Inc.,
Suddenly Slender and Suddenly Slender International;" however, she has no authority to
represent corporate defendants which must be represented by counsel.