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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

INTERVEST MORTGAGE
INVESTMENT COMPANY,

NO. CIV. S-08-1543 LKK/DAD

Plaintiff,

v.

O R D E R

KIP S. SKIDMORE and ILLA A.
JONES-SKIDMORE, husband and
wife; the ALASKA TRUST
COMPANY, et al.,

Defendants.

_____ /

By orders issued on June 2, 2009, the court granted summary judgment as to all remaining claims in this case. (Doc. No. 149, available as Intervest Mortg. Investment Co. v. Skidmore, 632 F. Supp. 2d 1005 (E.D. Cal. 2009)), (Doc. No. 150, Intervest Mortg. Investment Co. v. Skidmore, ___ F. Supp. 2d ___ (E.D. Cal. 2009)). On June 25, 2009, plaintiff Intervest requested entry of judgment. (Doc. No. 160.) A week later and before the court could rule on this request, defendants filed a notice of filing of bankruptcy.

1 (Doc. No. 172.) Defendants also filed objections to the request
2 and notices of appeal of the two summary judgment orders. (Doc.
3 Nos. 162, 163, 164.)

4 It appears to the court that the filing of bankruptcy stays
5 all proceedings in this case pursuant to 11 U.S.C. section
6 362(a)(1). The court thereby VACATES the pre-trial conference
7 presently set for January 6, 2010 at 3:00 p.m. If either party
8 contends that such a stay is improper or that the court should rule
9 on the request for entry of judgment, that party MAY file, within
10 twenty-one (21) days of the date of this order, a brief not to
11 exceed fifteen (15) pages explaining the party's position. If
12 either party elects to file such a brief, an opposition may be
13 filed no later than fourteen (14) days thereafter.

14 IT IS SO ORDERED.

15 DATED: December 29, 2009.

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LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT