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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

ERNEST P. SANCHEZ, individually and on behalf of all others similarly situated,

Plaintiff,

v.

AVIVA LIFE AND ANNUITY COMPANY, a foreign entity of unknown origin; LOOMIS WEALTH SOLUTIONS, INC., an Illinois corporation; LAWRENCE LELAND LOOMIS, an individual; NARAS SECURED FUND #2, LLC, a Delaware limited liability company; LISMAR FINANCIAL SERVICES LLC, a Delaware limited liability company; NATIONWIDE LENDING GROUP, an entity of unknown origin; and DOES 1 through 1000, inclusive,

Defendants.

Case No. 2:09-CV-01454-FCD-DAD

ORDER TO CONTINUE
DATE TO FILE AND SERVE
PLAINTIFF'S SECOND AMENDED
COMPLAINT AND TO FILE A MOTION
TO DISMISS CLASS ALLEGATIONS
AND FOR LEAVE TO FILE AN
AMENDED COMPLAINT

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ORDER

Based upon the stipulation filed by and between Plaintiff Ernest P. Sanchez ("Plaintiff") and Defendant Aviva Life And Annuity Company ("Aviva") and good cause appearing it is hereby ordered as follows:

1) Plaintiff's Second Amended Complaint no longer need be filed on or before December 21, 2009;

2) On or before January 15, 2010, Plaintiff will file and serve a Motion to Dismiss Class Allegations and for Leave to File an Amended Complaint (the "Motion") which shall be set for hearing on March 26, 2010 or the first available date thereafter if such hearing date is no longer available; and

3) Plaintiff shall file and serve his Second Amended Complaint 10 days after the Court issues its ruling on the Motion and in accordance with the terms and provisions of such ruling.

IT IS SO ORDERED.

Dated: December 22, 2009



FRANK C. DAMRELL, JR.
UNITED STATES DISTRICT JUDGE