

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

GEORGE LOUIE,

Plaintiff,

No. CIV S-11-107 FCD CKD

vs.

KIM SPINELLA, et al.,

Defendants.

ORDER

_____ /

This matter was initially referred to the magistrate judge for pretrial management because plaintiff was proceeding pro se. See Local Rule 302(c)(21). On August 2, 2011, Alan S. Fukushima, the Chapter 7 Bankruptcy Trustee in plaintiff’s pending bankruptcy case, filed a ratification of the pending action pursuant to Federal Rule of Civil Procedure 17(a)(3). (Dkt. no. 31.) Mr. Fukushima indicates that he “intends to prosecute the instant case as the Plaintiff, which he has standing to do under Title 11 U.S.C. Section 541” and that “[o]n July 26, 2011, the Bankruptcy Court appointed Chad Wood, of Willbanks & Wood, ... as special counsel in this case on behalf of Mr. Fukushima.” Id.

Because the bankruptcy trustee, who is proceeding as the plaintiff in this action, is represented by counsel, pretrial matters, other than discovery motions, should now be noticed

////

1 before the District Judge assigned to this action. The magistrate judge shall continue to perform
2 all duties described in Local Rule 302(c)(1)-(20).

3 Accordingly, IT IS HEREBY ORDERED that:

4 1. This matter is referred back to the District Judge assigned to this action.

5 2. The status conference set before the undersigned on October 19, 2011 is
6 vacated; and

7 3. Henceforth the caption on documents filed in this action shall be
8 CIV S-11-107 FCD CKD.

9 DATED: August 3, 2011

/s/ Carolyn K. Delaney

United States Magistrate Judge

10
11
12
13 4
14 louie107.ref
15
16
17
18
19
20
21
22
23
24
25
26