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11 Attorneys for Defendants
 12 AMERUS LIFE INSURANCE COMPANY
 AVIVA LIFE AND ANNUITY

13 *Complete List of Parties Represented and*
 14 *Counsel on Signature Page*

14 **UNITED STATES DISTRICT COURT**
 15 **EASTERN DISTRICT OF CALIFORNIA**

| | | |
|----|---|---|
| 16 | GENESIS SPECIALTY TILE & ACCESSORIES,) | CASE NO. 2:11-cv-02489-LKK-DAD |
| 17 | LLC; ELEFThERIOS EFSTRATIS;) | |
| 18 | ELEFThERIOS D. EFSTRATIS; PATRICIA E.) | |
| 19 | EFSTRATIS; JESSICA N. EFSTRATIS;) | THE PARTIES' JOINT STATUS REPORT |
| 20 | THOMAS A. JOHNSON; NORA E. RUNDELL,) | AND STIPULATION AND REQUEST TO |
| | Plaintiff,) | CONTINUE STATUS (PRETRIAL |
| | v.) | SCHEDULING) CONFERENCE; ORDER |
| 21 | AMERUS LIFE INSURANCE COMPANY OF) | Hearing: March 19, 2012 |
| 22 | IOWA; AVIVA LIFE AND ANNUITY) | Time: 1:30 p.m. |
| 23 | COMPANY f/k/a/ AMERUS LIFE INSURANCE) | Ctrm: 4 |
| 24 | COMPANY, a corporation, RAYMOND F.) | |
| 25 | OLMO, an individual; R.F. OLMO &) | |
| 26 | ASSOCIATES, INC., a corporation; MARSHALL) | |
| 27 | KATZMAN, an individual; UNITED FINANCIAL) | |
| 28 | GROUP, LTD, a corporation; DAVID) | |
| | ZUCCOLOTTO; and DOES 1 through 100,) | |
| | inclusive) | |
| | Defendants.) | |
| | _____) | |

1 Plaintiffs Genesis Specialty Tile & Accessories, LLC, Eleftherios Efstratis, Eleftherios D.
2 Efstratis, Patricia E. Efstratis, Jessica N. Efstratis, Thomas A. Johnson, and Nora E. Rundell
3 (“Plaintiffs”) and Defendants Amerus Life Insurance Company, Aviva Life and Annuity Company,
4 Raymond F. Olmo, RF Olmo & Associates, Inc., Marshall Katzman, and David Zuccolotto
5 (“Defendants”) hereby submit the following as their joint status report pursuant to the Court’s Order of
6 February 15, 2012, and stipulate as set forth below:

7 1. At the time this matter was conditionally transferred by the United States Judicial Panel
8 on Multidistrict Litigation, Plaintiffs had pending a Motion to Remand the matter to the state court. The
9 Motion to Remand was fully briefed except for Plaintiffs’ reply to the Defendants’ opposition. Also
10 pending at the time the matter was transferred were Motions to Dismiss filed by several of the
11 Defendants. However, by stipulated order further briefing on the motions to dismiss was continued until
12 after the Court had decided Plaintiffs’ Motion to Remand.

13 2. Plaintiffs have noticed their Motion to Remand for hearing on March 26, 2012.

14 3. The resolution of Plaintiffs’ Motion to Remand may moot the need for a Status (Pretrial
15 Scheduling) Conference, and any further briefing in this court on the Motions to Dismiss. Consequently,
16 the Parties request that the March 19, 2012 Status Conference be taken off the Court’s calendar, to be set
17 for a new date, to be determined by the Court, if necessary, after a decision on Plaintiff’s Motion To
18 Remand.

19 IT IS SO STIPULATED

20
21 Dated: March 5, 2012

Respectfully submitted,
GREENBERG TRAURIG, LLP

22
23 By: /s/ Stephen E. Paffrath
24 Kurt A. Kappes
25 Stephen E. Paffrath
26 Attorneys for Defendants
27 AMERUS LIFE INSURANCE COMPANY
28 AVIVA LIFE AND ANNUITY

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Dated: March 5, 2012

KLINEDINST PC

By: /s/ Connie M. Anderson
Connie M. Anderson
Reina G. Minoya
Attorneys for Defendant
MARSHALL KATZMAN

Dated: March 5, 2012

WINGET SPADAFORA &
SCHWARTBERG, LLP

By: /s/ David Maurer
Brandon S. Reif
David Maurer
Attorneys for Defendants
RAYMOND F. OLMO & RF OLMO &
ASSOCIATES

Dated: March 5, 2012

MANDELL & ASSOCIATES, PC

By: /s/ Barbara J. Mandell
Barbara J. Mandell
Lyndon H. Hong
Attorneys for Defendant
DAVID ZUCCOLOTTO

Dated: March 5, 2012

GUY KORNBLUM & ASSOCIATES

By: /s/ Walter Crump
Walter Crump
Attorneys for Plaintiffs
ELEFThERIOS EFSTRATIS, ELEFThERIOS
D. EFSTRATIS, PATRICIA E. EFSTRATIS,
JESSICA N. EFSTRATIS, THOMAS A.
JOHNSON, AND NORA E. RUNDELL

1 **ORDER**

2 In light of the parties' above stipulation and good cause appearing therefore, the Status
3 Conference set for March 19, 2012 at 1:30 p.m. in courtroom #4 is hereby continued to May 29, 2012 at
4 2:30 p.m. The parties shall file their status reports fourteen (14) days prior to the status conference.

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6 **IT IS SO ORDERED.**

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9 Dated: March 15, 2012

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11 
12 LAWRENCE K. KARLTON
13 SENIOR JUDGE
14 UNITED STATES DISTRICT COURT
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