

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

VIRGINIA C. MOON, on her own behalf and on behalf of the Peters, Rush, Habib & McKenna Profit Sharing Plan,

No. 2:11-cv-03102-GEB-CKD

Plaintiff,

DAVID H. RUSH, MARK A. HABIB,
and JAMES P. MCKENNA,

Defendants.

**ORDER CONTINUING FINAL PRETRIAL
CONFERENCE**

AND RELATED COUNTER-CLAIM

The parties shall file a supplemental Joint Pretrial Statement no later than February 23, 2015, since the Joint Pretrial Statement filed on February 17, 2015, (ECF No. 145), does not succinctly "set forth each theory of liability ("claim") and affirmative defense which remains to be tried, and the ultimate facts on which each theory/defense is based" as required by the September 11, 2013 Status (Pretrial Scheduling) Order. (Status Order 3:5-9, ECF No. 70.) The referenced matters are used to create a section of the final pretrial order.

In light of the supplemental riling required, the Final

1 Pretrial Conference is continued to commence at 1:30 p.m. on
2 March 9, 2015.

3 Dated: February 19, 2015

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GARLAND E. BURRELL, JR.
Senior United States District Judge