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

**LAURIE E. ALLEN, individually and as  
successor in interest of Keith W. Allen,  
deceased,**  
  
Plaintiff,  
  
v.  
  
**CALIFORNIA HIGHWAY PATROL; et  
al.,**  
  
Defendants.

Case No. 2:13-cv-01821 MCE-EFB  
**ORDER**


Presently before the Court is Defendants’ Ex Parte Application (ECF No. 73) for stay of proceedings and to set a briefing schedule on the issue of Plaintiff’s standing. Good cause having been shown, that Application is GRANTED. The trial and all pretrial dates are hereby VACATED.

Defendants’ Motion challenging Plaintiff’s standing to bring this claim shall be noticed for hearing on the Court’s regular civil calendar not later than October 5, 2017. Further briefing shall be filed in accordance with the Local Rules. Aside from the substantive issues regarding standing, the parties are directed to address whether any potential factual issues must be tried to the Court or to a jury. See, e.g., Cal. Code Civ. P. 377.60(b) (“[P]utative spouse’ means the

1 surviving spouse of a void or voidable marriage who is found by the court to have believed in  
2 good faith that the marriage to the decedent was valid.”).

3 IT IS SO ORDERED.

4 Dated: August 9, 2017

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6 MORRISON C. ENGLAND, JR.  
7 UNITED STATES DISTRICT JUDGE  
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