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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

In re:

WATERFORD FUNDING, LLC, *et al.*,

Debtors

GIL A. MILLER, Chapter 11 Trustee for
WATERFORD FUNDING, LLC, *et al.*,

Plaintiffs,

v.

JOHN STONE,

Defendant.

No. 2:15-mc-0137 WBS AC

ORDER

This is a judgment debtor proceeding. The matter was accordingly referred to the undersigned by E.D. Cal. R. 302(c)(11). On May 2, 2016, the court issued an Order To Show Cause (“OSC”) why defendant John Stone’s personal check for \$107,278.51 – which defendant had mailed to the court – should not be returned to defendant, and why this case should not be closed.

Plaintiff, which previously withdrew its request for a judgment debtor examination of defendant, has not responded to the OSC. Defendant has filed responses to the OSC, attesting


1 that the underlying judgment has been set aside by the Bankruptcy Court for the District of Utah,
2 requesting the return of his check, and asking that this case be closed. ECF Nos. 26, 27.

3 There being no underlying judgment to enforce, plaintiff having withdrawn its request for
4 a judgment debtor examination, and plaintiff having failed to respond to the OSC,

5 IT IS HEREBY ORDERED that the Clerk of the Court shall:

- 6 1. Return defendant's check to him; and
7 2. Close this case.

8 DATED: May 12, 2016

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10 ALLISON CLAIRE
11 UNITED STATES MAGISTRATE JUDGE
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