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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

In re:

WATERFORD FUNDING, LLC, *et al.*,

Debtors

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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 underlying judgment was set aside On May 11, 2016, by the United States Bankruptcy Court for the District of Utah, *In re Waterford Funding, LLC, Gil A. Miller Chapter 11 Trustee for Waterford Funding, LLC v. John Stone*, Bankruptcy Case Number 09-22584, Adversary Proceeding Number 11-2093, the Honorable R Kimball Mosier, presiding.


Defendant then filed an Ex Parte Application To Recall Writs of Executions and Judgment Levies, and asserted that plaintiff will not oppose the application. ECF No. 29. The undersigned ordered plaintiff to file a response to the application. ECF No. 30. Plaintiff has filed no response.

1           There being no underlying judgment to enforce, and no party having objected to the  
2 requested relief:

3 IT IS HEREBY ORDERED that:

- 4           1. All Writs of Execution, all Notices of Levies, and all Notices of Judgment Lien issued  
5           in this “Miscellaneous” matter (2:15-mc-0137), are hereby recalled immediately.
- 6           2. All banks, including JP Morgan Chase Bank, N.A. and Bank of America, are hereby  
7           ordered to release any holds on the funds of John Stone pursuant to Notices of Levy  
8           Under Writ of Execution issued in this “Miscellaneous” matter.
- 9           3. The U.S. Marshal’s Office is hereby ordered to recall or cancel any pending levies and  
10          release to John Stone any funds it is holding pursuant to the Writs of Execution issued  
11          in this “Miscellaneous” matter.

12 DATED: June 16, 2016

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14 ALLISON CLAIRE  
15 UNITED STATES MAGISTRATE JUDGE  
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