

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROYLENE RAY and KELLY CANNON,
individually and on behalf of other similarly
situated,

No. C 06-01807 JSW

Plaintiffs,

v.

**ORDER VACATING HEARING
ON PENDING MOTIONS AND
REQUIRING STATUS REPORT**

BLUEHIPPO FUNDING, LLC,

Defendant.

Now before the Court is Plaintiffs Roylene Ray and Kelly Cannon’s motion for preliminary certification of a settlement class, preliminary approval of class settlement and related relief. Also before the Court is a motion to intervene to stay this action and an objection to the motion for preliminary approval of settlement filed by movant Julio Estrada. These matters were originally set for hearing on July 17, 2009 at 9:00 a.m. The Court then received Estrada’s notice regarding the continuation of a hearing in the national class action case to August 14, 2009. Lastly, the Court also received a motion by counsel for defendant BlueHippo Funding, LLC and BlueHippo Capital LLC requesting to withdraw from representation.

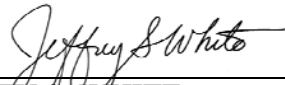
The Court has twice reset the hearing on the pending motions in an effort to address the motions in the most efficient manner possible. The hearing on the motions is currently set for this Friday, September 25, 2009 at 2:00 p.m. However, the Court has not received any updated information regarding the status of the settlement in the national class action. Considering the possibility that the proceedings in the national class action may render this matter moot, the Court HEREBY VACATES the hearing set for September 25, 2009. The parties (and the proposed intervenor) shall submit a status update within 10 days of the court’s ruling in *Robbins v. BlueHippo Funding, LLC, et al.*, N.D. Okla. Case No. 07-CV-145-TCK-TLW. The status

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

update shall detail the ruling in the national class action as well as its effect on the pending proceedings before this Court.

IT IS SO ORDERED.

Dated: September 23, 2009



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE