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

UNIVERSAL EQUIPMENT LEASING
COMPANY, LLC,

Plaintiff,

v.

FIFTH THIRD LEASING CO.,

Defendant.

No. C 06-07584 JSW

**ORDER RE CASE STATUS AND
TO SHOW CAUSE**

On June 20, 2008, the Court vacated the hearing on Universal Equipment Leasing Company, LLC’s (“UEL”) motion for summary judgment, the deadline to file dispositive motions, the pretrial conference and the trial date and held that these dates would be reset if necessary, pending the ruling from the United States Bankruptcy Court for the Southern District of Ohio on whether this matter should be stayed pursuant to 11 U.S.C. § 362. The parties informed the Court of the Bankruptcy Court’s ruling issued on October 31, 2008. The Bankruptcy Court granted Cincome iOutsource’s motion to stay with respect to Fifth Third Leasing Company’s (“FTLC”) action against Cincom Systems, Incorporated (“Cincom”) but denied the stay as to UEL’s action against FTLC. In its status report, UEL requests that the Court reset the hearing date on its motion for summary judgment and reschedule the deadline to file dispositive motions, the pretrial conference, and the trial date. UEL subsequently filed an administrative motion to reset the above dates and to deny FTLC’s request to stay UEL’s action against it.

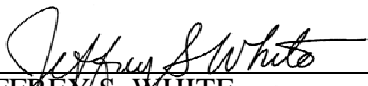
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FTLC and Cincom filed a joint status report in which they argue that the Court should continue to stay UEL's claims against FTLC. Cincome iOutsource filed a status report in which it agreed that UEL's claims against FTLC's claims should remain stayed pending the bankruptcy proceedings and should not be severed from FTLC's claims against Cincom.

The Court HEREBY STRIKES the administrative motion filed by UEL. The Court FURTHER ORDERS UEL to show cause why its claims against FTLC should not be stayed. UEL shall show cause in writing by no later than December 10, 2008. FTLC, Cincom, and Cincom iOutsource shall file their response, by no later than December 19, 2008. The Court will hold a hearing on this matter, if necessary, on January 9, 2009 at 9:00 a.m.

IT IS SO ORDERED.

Dated: November 24, 2008



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE