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28**NOT FOR CITATION**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

In re: MOSCOWITZ & NIXDORF, LLP,

Debtor.

JOHN T. KENDALL, Chapter 7 Trustee,

Plaintiff,

v.

ERIC M. NIXDORF,

Defendant.
_____No. C 07-2603 PJH
BK Adv. Case No. 06-4255 AN**ORDER SETTING BRIEFING
SCHEDULE REGARDING
WITHDRAWAL OF REFERENCE
AND VACATING CMC**

This matter is before this court following the bankruptcy court's May 11, 2007 order recommending withdrawal of the bankruptcy court's reference under 28 U.S.C. § 157(d), pursuant to Bankruptcy L.R. 5011-2(b).

Defendant, the movant for withdrawal of reference, is ORDERED to file and serve an opening brief regarding the propriety of withdrawal of the reference **no later than June 26, 2007**. Plaintiff shall file and serve a response within **14 days** of defendant's opening brief. Defendant may file a reply, if any, within **7 days** of plaintiff's response. In addition to the briefs, **the parties should file with this court any pertinent exhibits, including relevant documents and portions of the record previously filed with the bankruptcy court.**

1 Unless the parties are notified otherwise, the matter will be decided on the papers
2 once it is fully briefed. No hearing will be necessary.

3 The case management conference currently set for August 23, 2007 is VACATED.
4 This court will set a CMC, if necessary, at the time that it issues an order regarding the
5 withdrawal of the bankruptcy court's reference.

6 **IT IS SO ORDERED.**

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8 Dated: May 23, 2007



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PHYLLIS J. HAMILTON
United States District Judge

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