

United States District Court  
For the Northern District of California

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

BURNHAM BROWN, a  
Professional Law corporation

No. C-09-4811 MMC

Plaintiffs,

**ORDER CONDITIONALLY CLOSING  
CASE FOR STATISTICAL PURPOSES**

v.

DONALD KUNKEL, ADVANCED  
RECYCLING EQUIPMENT, INC. and BIO-  
MASS ENERGY CONCEPTS, LLC,

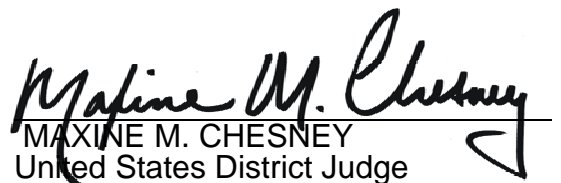
Defendants

The Court, by separate order filed concurrently herewith, having ordered the entry of a default judgment against defendant Donald Kunkel, and plaintiff having informed the Court that the claims alleged herein against defendants Advanced Recycling Equipment, Inc. and Bio-Mass Energy Concepts, LLC have been automatically stayed pursuant to 11 U.S.C. § 362(a), by reason of said defendants' initiation of bankruptcy proceedings (see Statement, filed January 26, 2010), IT IS HEREBY ORDERED that the above-titled action is CLOSED for statistical purposes only.

Nothing contained in this order shall be considered a dismissal or disposition of the action against the remaining defendants, and should further proceedings become necessary herein, any party may initiate them in the same manner as if this order had not been entered.

**IT IS SO ORDERED.**

Dated: February 17, 2010

  
MAXINE M. CHESNEY  
United States District Judge