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Attorneys for Plaintiff
 ROBERT L. GELTZER, CHAPTER 7 TRUSTEE OF
 FLAGSHIP GLOBAL HEALTH, INC.



8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

11 In re
 12 FLAGSHIP GLOBAL HEALTH, INC.,
 13 Debtor.

[Case No. 08-13246 (JMP) under Chapter 7
 in the United States Bankruptcy Court for the
 Southern District of New York]

14 ROBERT L. GELTZER, as Chapter 7 Trustee
 15 of Estate of FLAGSHIP GLOBAL HEALTH,
 16 INC.,
 17 Plaintiff,
 18 vs.
 19 i365, INC and EVAULT, INC.,
 20 Defendant.

Case No. 10-CV-03618-MEJ
 STATUS REPORT

STATUS REPORT

1 Pursuant to the Court's December 13, 2010 "Second Order Re: Status," and with
2 apologies to the Court for not having been able to comply with the Court's prior November 29
3 "Order Vacating CMC and Order Regarding Status," plaintiff Robert L. Geltzer, Esq., as Chapter
4 7 Trustee (the "Trustee" or "Plaintiff") of the Debtor, Flagship Global Health, Inc. (the "Debtor"),
5 and as Trustee, hereby submits the following report on the status of the above-captioned action.

6 Plaintiff expects that this action will soon be dismissed. On December 16, 2010, the
7 parties' settlement discussions to date resulted in the execution of a "Stipulation Of Settlement
8 Between Robert L. Geltzer, As Chapter 7 Trustee Of Flagship Global Health, Inc. And Defendant
9 i365, Inc. F/K/A Evault, Inc." (the "Settlement Agreement"). The Settlement Agreement
10 requires, among other things: (1) Plaintiff to have the parties' settlement approved by an order of
11 the Bankruptcy Court for the Southern District of New York as promptly as possible, and (2)
12 Plaintiff to dismiss the above-captioned action within ten calendar days of the date on which the
13 approval order of the Bankruptcy Court for the Southern District of New York becomes final.
14 Plaintiff anticipates that both of these preconditions to the dismissal of this action will occur in
15 short order.

16 In view of the parties' execution of the Settlement Agreement and the anticipated
17 dismissal of this action in the near future, Plaintiff respectfully requests that the Court vacate all
18 case deadlines in this action until March 31, 2011, at which time, if this action has not yet been
19 dismissed, Plaintiff will further apprise the Court of the status of this action.

20 Dated: December 20, 2010

Respectfully submitted,

SQUIRE, SANDERS & DEMPSEY L.L.P.

23 By: /s/ Xavier M. Brandwajn
24 Xavier M. Brandwajn

25 Attorneys for Plaintiff
26 ROBERT L. GELTZER, CHAPTER 7 TRUSTEE OF
27 FLAGSHIP GLOBAL HEALTH, INC.
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1 **PROOF OF SERVICE**

2 I am a citizen of the United States and employed in Santa Clara County, California. I am
3 over the age of eighteen years and not a party to the within-entitled action. My business address
4 is 600 Hansen Way, Palo Alto, California 94304-1043. On December 20, 2010, I served true and
5 correct copies of the within documents:

6 **STATUS REPORT**

7
8 to the following:

9 i365, Inc. (f/k/a Evault, Inc.)
10 Terry Cunningham
31010 Jay Street, Suite 110
Santa Clara, CA 95054

11 Peter J. Mastan, Esq.
12 GUMPORT | MASTAN
550 S. Hope Street, Suite 825
13 Los Angeles, CA 90071
Tel: (213) 452-4900

14 Service was accomplished as follows.

- 15 **By Electronic Mail.** On _____, the documents listed above were
16 electronically mailed to the parties at their known e-mail addresses.
- 17 **By Facsimile.** According to Normal Business Practices, on the above date, at my
18 place of business at the above address, I telefaxed a copy thereof to the following
individual(s) at the following facsimile number(s):
- 19 **By Certified/Return Receipt U.S. Mail,** According to Normal Business Practices,
20 On the above date, at my place of business at the above address, I sealed the above
document(s) in an envelope addressed to the above, and I placed that sealed
21 envelope for collection and mailing following ordinary business practices, for
deposit with the U.S. Postal Service. I am readily familiar with the business
22 practice at my place of business for the collection and processing of
correspondence for mailing with the U.S. Postal Service. Correspondence so
23 collected and processed is deposited with the U.S. Postal Service the same day in
the ordinary course of business, postage fully prepaid.
- 24 **By Federal Express:** On the above date, I sealed the above document(s) in an
25 envelope or package designated by Federal Express, an express service carrier,
addressed to each of the above-designated addressee, and I deposited each sealed
26 envelope or package in a box or other facility regularly maintained by the express
service carrier, or delivered that envelope or package to an authorized courier or
27 driver authorized by the express service carrier to receive documents, located in
Palo Alto, California, with delivery fees paid or otherwise provided for.
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I declare under penalty of perjury under the laws of the State of California that the above
is true and correct.

Executed on December 20, 2010, at Palo Alto, California.

/s/ Daniela Fontana

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