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   C.F.C., a minor, by and through
12 Christine F., his parent and guardian

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14   **UNITED STATES DISTRICT COURT**

15   **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

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18 C.F.C., minor, by and through CHRISTINE
   F., his parent and guardian, on behalf of   CASE NO. 3:11-CV-00487-EMC
19 himself and all others similarly situated,

20   Plaintiff,   Hon. Edward M. Chen

21 v.   **REQUEST TO VACATE UPCOMING
                                                     CASE MANAGEMENT CONFERENCE IN
22 POWER BALANCE LLC; a Delaware   LIGHT OF ONGOING AUTOMATIC
   Limited Liability Company.   STAY UNDER 11 U.S.C. SECTION 362**
23   Defendants.

24   **Complaint filed: February 1, 2011
                                                     Trial Date: None Set**
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   REQUEST TO VACATE UPCOMING CASE MANAGEMENT CONFERENCE
                                                     CASE NO. 3:11-CV-00487-EMC

Plaintiff C.F.C., minor, by and through Christine F., his parent and guardian ("Plaintiff") requests as follows:

WHEREAS, on November 18, 2011, Defendant Power Balance, LLC filed a voluntary Chapter 11 petition for relief in the United States Bankruptcy Court for the Central District of California.

WHEREAS, on November 22, 2011, Power Balance filed a Notice of Pending Chapter 11 Bankruptcy and Notice of Automatic Stay in this court (Dkt. No. 29).

WHEREAS, the Chapter 11 bankruptcy is currently proceeding as Case No. 8:11-25982 and pending before the Honorable Theodore Albert, United States Bankruptcy Judge (the "Bankruptcy Action").

WHEREAS, pursuant to Section 362(a) of the Bankruptcy Code, there is currently an ongoing automatic stay over the instant action.

WHEREAS a hearing regarding the Debtor's Disclosure Statement is set for July 10, 2013, and a hearing regarding confirmation of the Debtor's Chapter 11 Plan of Reorganization has not yet been scheduled.

WHEREAS, the parties will provide this Court with an additional update on any changes to the status of the Bankruptcy Action if and when they occur.

WHEREAS, on February 5, 2013, the Court previously granted Plaintiff's stipulated request to vacate the prior Case Management Conference due to the ongoing automatic stay.

Accordingly, in light of the ongoing automatic stay under Bankruptcy Code § 362(a), Plaintiff requests that this Court vacate the upcoming Case Management Conference currently scheduled for Thursday, June 27, 2013, and reset it to a date in October 2013.

Dated: June 21, 2013   LEXINGTON LAW GROUP

/s/ *Mark Todzo*
Mark Todzo
Attorneys for Plaintiff

PURSUANT TO THE REQUEST, IT IS SO ORDERED. The CMC is reset for 11/14/13 at 9:00 a.m.

Dated: June _____²⁵, 2013   _____

                                             HON. EDWARD M. CHEN

IT IS SO ORDERED
AS MODIFIED

Judge Edward M. Chen

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA