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17 Attorneys for Defendants  
18 THE CHOICE MANUFACTURING COMPANY, INC.  
19 and PETER MASI

20 UNITED STATES DISTRICT COURT  
21 NORTHERN DISTRICT OF CALIFORNIA

22 JACKIE L. HIGH, TRAVIS PEAVY, and  
23 LORETTA ALVA, on Behalf of Themselves and  
24 All Others Similarly Situated,

25 Plaintiffs,

26 vs.

27 THE CHOICE MANUFACTURING COMPANY,  
28 INC., a.k.a. THE CHOICE WARRANTY, INC.,  
INDEPENDENT BANK CORPORATION,  
MEPCO FINANCE CORPORATION, PETER  
MASI, DARAIN ATKINSON, CORY ATKINSON,  
and DOES 1 through 20, inclusive,

Defendants.

) CASE NO. 3:11-cv-05478-EMC  
)  
) Hon. Edward M. Chen  
)

) **[PROPOSED] ORDER SETTING**  
) **ASIDE ENTRY OF DEFAULT**

The Court, having considered the motion brought by defendant The Choice Manufacturing Company, Inc. a.k.a The Choice Warranty, Inc. (“Choice”) to set aside the Entry of Default that was

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entered by the Clerk of this Court on June 27, 2012, as well as the subsequently-filed stipulated request made by Choice and Plaintiffs that this Court set aside the entry of judgment as to Choice, hereby finds that good cause exists to set aside the Entry of Default as required by Federal Rule of Civil Procedure 55(c). Accordingly, the Court ORDERS as follows:

The Entry of Default that was entered by the Clerk of this Court on June 27, 2012 is hereby set aside and vacated. Further, the hearing on the Motion to Set Aside filed by Choice that had been set for August 10, 2012 is hereby taken off calendar.

IT IS SO ORDERED.

8/1/12

Dated: \_\_\_\_\_

