

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PENSION PLAN FOR PENSION TRUST
FUND FOR OPERATING ENGINEERS, et
al.,

Plaintiffs,

v.

GIACALONE ELECTRICAL SERVICES,
INC, et al.,

Defendants.

Case No. [13-cv-02338-SI](#)

**ORDER RE: ORAL ARGUMENT ON
CROSS MOTIONS FOR SUMMARY
JUDGMENT**

On June 26, 2015, the Court will hear oral argument on the parties' cross motions for summary judgment. The Court hereby **ORDERS** the parties to come prepared to discuss: (1) whether Cal. Corp. Code § 2011 applies to GES as a dissolved *de facto* corporation under the reasoning articulated in *CB Richard Ellis, Inc. v. Terra Nostra Consultants*, 230 Cal. App. 4th 405 (2014); and (2) assuming section 2011 does apply, whether the distributions Vincent Giacalone allegedly received are subject to section 2011 liability.

IT IS SO ORDERED.

Dated: June 23, 2015



SUSAN ILLSTON
United States District Judge