

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIAJOHN HANCOCK INSURANCE
COMPANY (U.S.A.),

Plaintiff,

v.

MINDY GOSS, et al.,

Defendants.

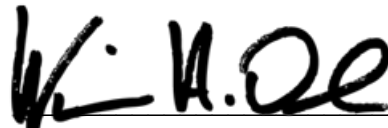
Case No. [14-cv-04651-WHO](#)**ORDER**

Pending before me is cross-defendant Windsor Securities Inc.'s ("Windsor") motion for summary judgment against the Joe E. Acker Family Insurance Trust (the "Trust"). Windsor raised for the first time an issue of standing in its reply brief. It asserts that although Mindy Goss purported to act as Trustee for her husband through a power of attorney, she was never properly appointed as Trustee under the provisions of the Trust and is not a proper party. Dkt. No. 45 at 10-13. During the hearing on the motion on August 12, 2015, counsel for the Trust indicated that there was an explanation for differences in the Trustee and that any problem of standing could be remedied.

The Trust is ordered to provide a brief of no more than 5 pages by **August 27, 2015**, addressing the new issues raised by Windsor in its reply brief (including the status of the real party in interest for the Trust).

IT IS SO ORDERED.

Dated: August 20, 2015

WILLIAM H. ORRICK
United States District JudgeUnited States District Court
Northern District of California