

1 ROBERT F. KIDD, ESQ. (SBN 77000)
 2 DONAHUE GALLAGHER WOODS LLP
 3 Attorneys at Law
 4 1999 Harrison Street, 25th Floor
 5 Oakland, California 94612-3520
 6 P.O. Box 12979
 7 Oakland, California 94604-2979
 8 Telephone: (510) 451-0544
 9 Facsimile: (510) 832-1486
 10 Electronic mail: robert@donahue.com

11 Attorney for Thomas Dashiell

12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA

14 BANKFIRST,

15 Plaintiff,

16 v.

17 THOMAS C. DASHIELL,

18 Defendant.

CASE NO.: 09-CV-3486-LB

**STIPULATION FOR ENTRY OF ORDER
 RE CONTINUANCE OF STATUS
 CONFERENCE; ORDER THEREON**

Date: TBA

Time: TBA

Magistrate: Judge Laurel Beeler

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1 I. STIPULATION

2 Plaintiff Outsource Services Management, LLC (“OSM”) and defendant Thomas C.
3 Dashiell stipulate and represent as follows:

4 1. On October 4, 2010, Mr. Dashiell filed his voluntary petition for relief under
5 chapter 7 of the United States Bankruptcy Code, in that case entitled *In re Thomas Clark*
6 *Dashiell*, United States Bankruptcy Court, Northern District of California, Oakland Division,
7 Chapter 7 Case No. 4-10-71453-J-7. Immediately thereafter, Mr. Dashiell filed herein his notice
8 of said bankruptcy filing.

9 2. By operation of 11 U.S.C. §362(a), the filing of Mr. Dashiell’s bankruptcy
10 petition operates as a stay, applicable to all entities, of the continuation of a judicial proceeding
11 against Mr. Dashiell, which judicial proceeding was commenced before the commencement of
12 the bankruptcy case. As a consequence, the filing of Mr. Dashiell’s bankruptcy petition on
13 October 4, 2010, operates as a stay of the instant litigation.

14 3. By operation of 11 U.S.C. §727(a), Mr. Dashiell’s personal liability for his debts
15 will be discharged, unless the Bankruptcy Court in the *Dashiell* case determines that he is not
16 entitled to such discharge, under the provisions of *inter alia* 11 U.S.C. §523 or 11 U.S.C. §727.
17 The Bankruptcy Court in the *Dashiell* case has fixed December 27, 2010, as the deadline for any
18 interested party to file an adversary complaint to determine the nondischargeability of Mr.
19 Dashiell’s debts under these statutes.

20 4. The parties respectfully stipulate to the entry of the order of the above-entitled
21 Court continuing the status conference currently scheduled for November 4, 2010, to a date and
22 at a time of the Court’s convenience on or after February 1, 2011. By the proposed continued
23 date of such status conference, (i) it will be known whether OSM has elected to file such
24 adversary complaint to determine the dischargeability of Mr. Dashiell’s debt, and (ii) the parties
25 will have a clearer understanding of implications of such election.

