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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

HARTFORD FIRE INSURANCE  
COMPANY,

Plaintiff,

v.

NBC GENERAL CONTRACTORS  
CORPORATION, a California  
Corporation; MONICA UNG, an  
individual; and DENNIS CHOW,  
an individual,

Defendants.

Case No: C 09-5363 SBA

**ORDER GRANTING  
MOTION TO REOPEN  
THE CASE**

Docket 148

On November 13, 2009, Plaintiff Hartford Fire Insurance Company (“Hartford”) commenced the instant action against NBC General Contractors Corporation (“NBC”), Monica Ung (“Ung”), and Dennis Chow (“Chow”) alleging claims for breach of indemnity agreement, specific performance, injunctive relief, and *quia timet*. Compl., Dkt. 1. On March 5, 2013, the Court issued an Order administratively closing the case in light of the automatic stay issued in the respective bankruptcy cases filed by NBC and Ung. Dkt. 107. In that Order, the Court directed the parties to immediately notify the Court in the event that either stay is lifted and to specify their request for further handling of this action. *Id.*

On June 27, 2014, Hartford filed a motion to reopen the case as to NBC. Dkt. 148. Hartford asserts that good cause exists to reopen the case because the bankruptcy court has issued a Final Decree and closed the NBC bankruptcy, thereby terminating the automatic stay. Pl.’s Mot. at 4; Curran Decl. ¶ 11, Exh. 1. Under Civil Local Rule 7-3, any opposition to Hartford’s motion was due by no later than fourteen days after the motion was filed, i.e., July 11, 2014. This Court’s Standing Orders specifically warn that “[t]he

1 failure of the opposing party to file a memorandum of points and authorities in opposition  
2 to any motion shall constitute a consent to the granting of the motion.” See Civil Standing  
3 Orders at 4. To date, no opposition has been filed. Having read and considered the papers  
4 filed in connection with Hartford’s motion, the Court finds that good cause exists to reopen  
5 the case as to NBC. The automatic stay upon the filing of a bankruptcy petition continues  
6 until the bankruptcy case is dismissed or closed, or a discharge is granted or denied. See 11  
7 U.S.C. § 362(c)(2).

8 Accordingly,

9 IT IS HEREBY ORDERED THAT:

- 10 1. Hartford’s motion to reopen the case is GRANTED.
- 11 2. The Clerk shall reopen the case as to NBC.
- 12 3. This Order terminates Docket 148.

13 IT IS SO ORDERED.

14 Dated: 7/16/2014

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16 SAUNDRA BROWN ARMSTRONG  
17 United States District Judge  
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