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3 UNITED STATES DISTRICT COURT  
4 NORTHERN DISTRICT OF CALIFORNIA  
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6 BOARD OF TRUSTEES, in their capacities as  
7 Trustees of the Laborers Health and Welfare  
8 Trust Fund of Northern California, et al.,

9 Plaintiffs,

10 vs.

11 VICTORY ENGINEERS, INC.,

12 Defendant.

Case No.: C-12-01946-YGR

**ORDER LIFTING STAY AND SETTING  
FURTHER COMPLIANCE HEARING**

13 Plaintiffs have filed a Case Management Statement Regarding Resolution of Defendant's  
14 Chapter 7 Bankruptcy. (Dkt. No. 15.) In light of the Bankruptcy Court issuing Final Decree granting  
15 Defendant's discharge from Chapter 7 bankruptcy, the stay in this action is **LIFTED**. The bankruptcy  
16 status hearing scheduled for May 3, 2013 at 9:01 a.m. is hereby **VACATED**.

17 Plaintiffs are **ORDERED** to provide an additional statement regarding the effect of Defendant's  
18 bankruptcy discharge on this action.<sup>1</sup> If Plaintiffs' claims were discharged in the bankruptcy, the  
19 parties shall file stipulation of dismissal. If the claims were not discharged and Plaintiffs intend to  
20 proceed with this action, they must provide a more detailed Case Management Statement.

21 A compliance hearing is scheduled for May 31, 2013 at 9:01 a.m. Five (5) business days prior  
22 to the date of the compliance hearing, Plaintiffs must the above-referenced stipulation of dismissal or  
23 Case Management Statement. If the dismissal or statement has been timely filed, no appearance will  
24 be required and the compliance hearing will be taken off calendar. Telephonic appearances will be  
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26 <sup>1</sup> The Court notes that Plaintiffs were required to *immediately* inform the Court when they became  
27 "aware that the bankruptcy stay has been vacated, modified to allow this matter to proceed, or  
28 terminated by dismissal of the bankruptcy action." (Dkt. No. 14.) Instead, it appears that Plaintiffs  
waited for over seven months to inform the Court.

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allowed if the statement has been submitted in a timely fashion and the Court deems the hearing necessary. Failure to do so may result in sanctions.

**IT IS SO ORDERED.**

Dated: May 2, 2013

  
**YVONNE GONZALEZ ROGERS**  
**UNITED STATES DISTRICT COURT JUDGE**