

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA

3
4 **RUSSELL E. BURNS, ET AL.,**

5 Plaintiffs,

6 v.

7 **JOHN HALOPOFF,**

8 Defendant.

Case No. 13-cv-03968-YGR

**ORDER VACATING HEARING ON MOTION
FOR SUMMARY JUDGMENT IN LIGHT OF
BANKRUPTCY STAY**

Re: Dkt. Nos. 62

9 Plaintiffs Russell E. Burns, *et al.*, filed and served their Motion for Summary Judgment
10 against Defendant John Halopoff (“Halopoff”) on March 23, 2015. On April 21, 2015, Halopoff
11 filed a Notice of Bankruptcy Filing and Automatic Stay. (Dkt. No. 70.)


12 In light of that Notice, this action is **STAYED**. The hearing on the motion for summary
13 judgment, set for April 28, 2015, is **VACATED**. All other deadlines and hearing dates in this matter
14 are likewise vacated.

15 The Court sets this matter for a compliance hearing regarding status of the bankruptcy at
16 **9:01 a.m. on January 22, 2016**. Five (5) business days prior to the compliance hearing, Plaintiffs
17 shall file a status report informing the Court of the status of the bankruptcy proceedings. If the
18 status report has been timely filed, no appearance will be required and the compliance hearing will
19 be taken off calendar. Telephonic appearances will be allowed if the statement has been submitted
20 in a timely fashion and the Court deems the hearing necessary.

21 If Plaintiffs become aware that the bankruptcy stay has been vacated, modified to allow
22 this matter to proceed, or terminated by dismissal of the bankruptcy action, Plaintiffs shall
23 immediately serve and file a notice that the bankruptcy stay is no longer in effect and request
24 resolution of the pending Motion for Summary Judgment.

25 **IT IS SO ORDERED.**

26 Dated: April 22, 2015

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