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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PENSION PLAN FOR PENSION TRUST
FUND FOR OPERATING ENGINEERS, et
al.,

Plaintiffs,

v.

CONSTRUCTION MATERIALS
TESTING, INC., et al.,

Defendants.

Case No. 15-cv-05325-DMR

ORDER STAYING CASE

Re: Dkt. No. 47

Plaintiffs brought this action pursuant to the Employee Retirement Income Security Act, as amended by the Multiemployer Pension Plan Amendments Act of 1980, 29 U.S.C. §§ 1001-1461, to collect withdrawal liability assessed against Defendant Construction Materials Testing, Inc. (“CMT”) and Does 1 through 10. Complaint at 2. CMT did not respond to the complaint and Plaintiffs moved for default judgment against CMT. Plaintiffs’ Motion for Default Judgment [Docket No. 20] at 1.

On July 18, 2016, Plaintiffs filed a notice of automatic stay under 11 U.S.C. § 362. [Docket No. 47.] CMT filed for protection under Chapter 11 of the United States Bankruptcy Code in the U.S. Bankruptcy Court, Northern District of California, on June 29, 2016. Pursuant to 11 U.S.C. § 362, Plaintiffs are stayed from proceeding with this action until the automatic bankruptcy stay is no longer in effect.

It is hereby ordered that:

1. This action is stayed.
2. The hearing previously set on Plaintiffs’ motion for default judgment on July 28, 2016 is hereby vacated. All case management deadlines are hereby vacated.
3. The Clerk shall administratively close the file.

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4. Plaintiffs shall reopen the case by filing a status report within seven days of the lifting of the automatic bankruptcy stay.

Plaintiffs shall serve a copy of this order on Defendant and file proof of service with the court.

IT IS SO ORDERED.

Dated: July 18, 2016



Donna M. Ryu
United States Magistrate Judge