IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

V

EDWARD A. BRINSKELE, REBECCA
B. BRINSKELE, WESTAMERICA
BANK, and JPMORGAN CHASE BANK,
successor in interest to CHASE
MANHATTAN BANK USA, N.A., and
WASHINGTON MUTUAL BANK,

Defendants.

Case No. 17-cv-01410-CW

ORDER FOR SERVICE AND REQUIRING PARTIES TO MEET AND CONFER

(Dkt. No. 40)

On February 23, 2018, Defendants Edward A. Brinskele and Rebecca B. Brinskele notified the Court that Rebecca B. Brinskele had filed a voluntary Chapter 11 bankruptcy petition on February 23, 2018 at 7:45 a.m., which was assigned case number 18-30194 in the United States Bankruptcy Court for the Northern District of California.

No other Defendant has notified the Court of the filing of a bankruptcy petition. The bank Defendants were named pursuant to 26 U.S.C. § 7403(b) as parties that may claim an interest in the proceeding. Defendant Westamerica Bank filed a disclaimer of any interest on October 2, 2017. Defendant JPMorgan Chase Bank has never appeared in this action. Individual Defendant Edward A. Brinskele, however, has appeared and remains a party.

Accordingly, the Court orders as follows:

1. This case is stayed with regard to Defendant Rebecca B. Brinskele pursuant to 11 U.S.C. § 362.

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2. Within seven days after this order, Plaintiff shall	
either (a) file proof of service on Defendant JPMorgan Chase Bar	αk
pursuant to Federal Rule of Civil Procedure $4(1)$, or (b) file a	
declaration that JPMorgan Chase Bank waived service.	

3. All parties except Rebecca B. Brinskele must meet and confer as to whether this entire action should be stayed or whether Plaintiff's claims against Edward A. Brinskele should proceed. Within fourteen days after this order, the remaining parties must file either a stipulation to stay this action pending the bankruptcy stay or a joint statement setting forth each party's position with respect to staying this action.

IT IS SO ORDERED.

Dated: February 23, 2018

CLAUDIA WILKEN
United States District Judge

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