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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Express Diagnostics Int'l, Inc.,

NO. C 06-01346 JW

Plaintiff,

**ORDER REQUIRING FURTHER JOINT
STATUS REPORT**

v.

Barry M. Tydings, et al.,

Defendants.

On June 11, 2009, Plaintiff filed a Notice of Automatic Stay Under 11 U.S.C. § 362, and a Proposed Order Recognizing Application of Automatic Stay. (hereafter, "Notice," Docket Item No. 345.) Although styled as a Notice, Plaintiff appears to be requesting the Court to stay this action as to all remaining Defendants pursuant to 11 U.S.C. § 362(a)(3). (Notice at 3-4.)

Since it is unclear from Plaintiff's Notice whether the remaining Defendants also seek to have this action stayed in its entirety, the Court ORDERS the parties to file a Joint Case Status Report on or before **June 26, 2009**. The parties' Report shall address the following:

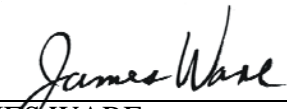
- (1) The remaining Defendants and claims in this case by a way of a chart or charts;
- (2) Which remaining Defendants are subject to an automatic stay under 11 U.S.C. § 362(a);
- (3) Whether the Court should exercise its discretion to stay this case as to all remaining Defendants; and

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(4) The parties' plan for proceeding with this litigation. If the parties disagree as to whether the Court should, in its discretion, stay this entire action, the parties shall also propose a briefing schedule on an anticipate motion to stay.

In light of this Order, the Court VACATES its June 12, 2009 Order requiring only Plaintiff to file a Status Report.

Dated: June 19, 2009



JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Joanna R. Mendoza jmendoza@theiplawfirm.com
3 Joseph Lawrence Strabala legal@quantumsi.com
4 Martin H. Orlick mho@jmbm.com
5 Richard Allen Nebb rnebb@vierramagen.com
6 William N. Woodson wnw@fsowlaw.com

7 Barry M. Tydings
8 Merina T. Kisera
9 723 Casino Center Blvd., #2
10 Las Vegas, NV 89101

11 **Dated: June 19, 2009**

Richard W. Wieking, Clerk

12 **By: /s/ JW Chambers**
13 **Elizabeth Garcia**
14 **Courtroom Deputy**

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