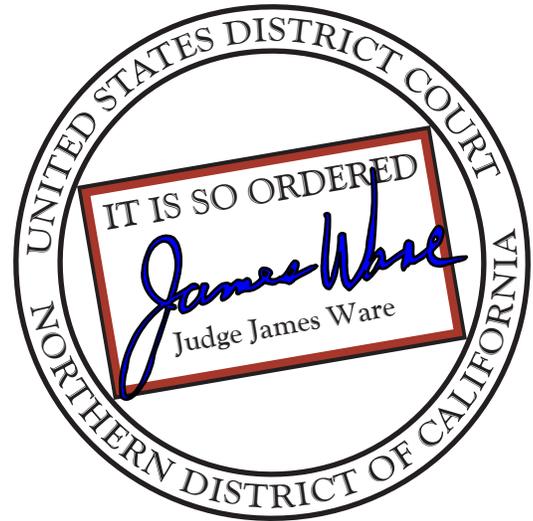


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 Hung Perry Nguyen, Joyce Freeman, and  
 8 Christopher Hake



9 **UNITED STATES DISTRICT COURT**  
 10 **NORTHERN DISTRICT OF CALIFORNIA**  
 11 **SAN JOSE DIVISION**

13 In re )  
 14 )  
 14 COMUNITY LENDING, INCORPORATED, a )  
 California corporation, )  
 15 )  
 Debtor. )

Case No. C 08-00201 JW  
 Honorable James Ware  
 Bankruptcy Case No. 08-50030 (MM)  
 Chapter 11

17 MAI CHRISTINA PHAM, JOHN PHAM, MAI )  
 18 NGUYEN, HUNG PERRY NGUYEN, and )  
 JOYCE FREEMAN, )  
 19 Plaintiffs, )

Adv. Proc. No. 08-05006  
**JOINT FURTHER CASE  
 MANAGEMENT CONFERENCE  
 STATEMENT**

20 vs. )

**ORDER VACATING CASE  
 MANAGEMENT CONFERENCE**

21 COMUNITY LENDING, INCORPORATED, a )  
 22 California corporation, and Does 1 through 10, )  
 inclusive, )  
 23 Defendants. )

1 On April 8, 2008, the Court issued a Scheduling Order, which required the parties to submit  
2 a joint case management statement 10 days before the further case management conference that is  
3 currently set for September 15, 2008. Since the initial case management conference, discovery has  
4 been proceeding. Plaintiffs have filed a motion for summary judgment that is set to be heard on  
5 October 6, 2008. In light of the proximity of that hearing, the parties request that the Court  
6 continue the status conference currently set for September 15, 2008, and hold a further case  
7 management conference, as necessary, on October 6, 2008, after the hearing on the motion for  
8 summary judgment.

9 The discovery cutoff in this case is December 15, 2008, and expert disclosures are  
10 currently due on September 13, 2008. The parties stipulate to extend the date for expert disclosures  
11 until December 15, 2008, with rebuttal expert disclosures due on December 31, 2008. The parties  
12 further stipulate to extend the deadline for the completion of expert discovery to January 15, 2008.

13 The parties believe that ADR would be beneficial in this case and are currently attempting  
14 to schedule a mediation prior to the hearing on Plaintiffs' motion for summary judgment.

15  
16 Dated: September 5, 2008

LINER YANKELEVITZ  
SUNSHINE & REGENSTREIF LLP

17  
18 By: /s/ Matthew Borden

19 Matthew Borden  
20 Attorneys for Plaintiffs  
21 Mai Christina Pham, John Pham, Mai  
22 Nguyen, Hung Perry Nguyen, and Joyce  
23 Freeman

24  
25 Dated: September 5, 2008

MURRAY & MURRAY,  
A Professional Corporation

26 By: /s/ Robert A. Franklin

27 Robert A. Franklin  
28 Attorneys for Defendant  
ComUnity Lending, Incorporated

1 Dated: September 5, 2008

LAW OFFICES OF JESSE L. B. HILL

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By: /s/ Jesse L. B. Hill  
Jesse L. B. Hill  
Attorneys for Counter-Claim Defendants  
Katherine Buckmeyer, Jack Ferguson,  
John Nelson, Jeannine Rupert, & Phyllis  
Christich

**\*\*\* ORDER \*\*\***

In light of the parties' representations, the Court VACATES the further  
Case Management Conference presently scheduled for September 15, 2008.  
The Court will set a confernece, if necessary, in its Order addressing Plaintiff's Motion  
for Summary Judgment.

Dated: September 11, 2008

  
\_\_\_\_\_  
JAMES WARE  
United States District Judge