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

In re ComUnity Lending, Inc.

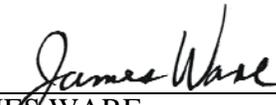
NO. C 08-00201 JW

**ORDER DIRECTING SCOPE OF ORAL
ARGUMENT**

Presently before the Court is Plaintiffs' Motion for Summary Judgment on Plaintiffs' First and Third Causes of Action. (Docket Item No. 21). The parties are scheduled to appear before the Court for oral argument at on **October 6, 2008 at 9:00 a.m.** Having reviewed the parties' papers, the Court directs the parties to prepare to address and present evidence on the following issues at oral argument:

- (1) When did Defendant become insolvent, if at all?
- (2) What evidence is available regarding tax treatment of funds contributed to the Top Hat Plan during the period in which the Plan was in effect?

Dated: October 2, 2008



JAMES WARE
United States District Judge

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

2 Jesse Landis Hill JLBHill@aol.com
3 John Walshe Murray jwmurray@murraylaw.com
4 Matthew Brooks Borden mborden@linerlaw.com
5 Robert Anthony Franklin rfranklin@murraylaw.com
6 Ronald Scott Kravitz Rkravitz@LinerLaw.com

7

8 **Dated: October 2, 2008**

Richard W. Wieking, Clerk

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By: /s/ JW Chambers
Elizabeth Garcia
Courtroom Deputy

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