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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ING BANK, FSB,
Plaintiff,
v.
BAIMBA JOHN,
Defendant.

Case No.: C 09-01467 PSG
**ORDER LIFTING STAY AND
SETTING HEARING DATE**
(Re: Docket No. 58)

On October 18, 2010, Judge Trumbull stayed this case pending resolution of Third-Party Plaintiff Baimba John’s bankruptcy case, an order granting relief from the bankruptcy case, or any other development which establishes that part or all of the case should no longer be stayed.¹ Pending further order of the court, the parties were instructed to file a status report on April 15, 2011 to inform the court of the status of the bankruptcy case and whether a stay was still warranted.

On April 8, 2011, Plaintiff ING Bank, FSB (“ING”) filed a Status Update informing the court that on November 22, 2010, the bankruptcy court granted relief from the stay to allow the district court to proceed with this case. Accordingly,

IT IS HEREBY ORDERED that the stay is lifted.

IT IS FURTHER ORDERED that oral argument on the pending motion for summary

¹ See 10/18/10 Order Staying Case (Docket No. 53).

1 judgment will be heard on May 3, 2011.

2 Dated: April 11, 2011

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4 PAUL S. GREWAL
5 United States Magistrate Judge
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1 **Notice of this filing was automatically mailed to counsel via the court's Electronic Case Filing**
2 **system.**

3 **A copy of this filing was mailed to:**

4 Baimba John
5 3354 Casa Legno Court
6 San Jose, CA 95148

7 Dated: April 11, 2011

8 */s/ Chambers Staff*
9 _____
10 Chambers of U.S. Magistrate Judge Paul S. Grewal
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