

On June 17, 2011, Appellant Orix Capital Markets, LLC ("Appellant") filed the instant bankruptcy appeal. On July 14, 2011 the Court granted Appellant an extension to allow the Liquidating Agent appointed by the Bankruptcy Court time to review the claims of the 115 Appellees in this case. On August 19, 2011 Appellant moved to dismiss on the grounds that the Liquidating Agent has now completed his claims review process and filed objections in the case to certain claims therein. Appellees did not oppose the motion. Pursuant to Federal Rule of Bankruptcy Procedure 8001(c)(2), a U.S. District Court may grant an appellant's motion to voluntarily dismiss an appeal "on terms and conditions fixed by the district court . . . ." Appellant requests no special terms and conditions, and Appellees have not opposed Appellant's motion. Accordingly, the Court GRANTS Appellant's motion to dismiss this appeal, without terms and conditions. The Clerk shall close the file.

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United States District Court For the Northern District of California

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## IT IS SO ORDERED.

Case No.: 11-CV-02985-LHK ORDER GRANTING MOTION TO DISMISS APPEAL Dated: September 30, 2011

LUCY H. KOH

LUCY **f**. KOH United States District Judge

Case No.: 11-CV-02985-LHK ORDER GRANTING MOTION TO DISMISS APPEAL