

United States District Court  
For the Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

SUSAN GOLDMAN, Trustee of the Goldman Living Trust U/A/D December 19, 2000,	)	Case No.: 11-CV-3028-LHK
	)	
Petitioner,	)	ORDER REQUESTING STATUS
v.	)	UPDATE
	)	
JAMES R. GAGNARD, an individual, and MICHELLE GAGNARD, an individual,	)	
	)	
Defendants.	)	

Pending before the Court are Petitioner’s motion to confirm arbitration award, ECF No. 10, and Defendants’ motion to stay, ECF No. 12. Both motions are set for a hearing on October 27, 2011.

The Court takes judicial notice that on October 18, 2011, in *Gagnard v. Campi Properties, Inc.*, No. 1 10 CV 167727, the Santa Clara Superior Court dismissed, with prejudice, Defendants’ cause of action seeking a declaration of the amount, if any, that the arbitrator’s award should be offset to take into account the compensation Petitioner has already received in settlement. *See* ECF No. 30.

By 5:00 p.m. on October 24, 2011, Defendants are hereby ORDERED to withdraw their motion to stay as moot or file a statement, limited to 3 pages, explaining why their motion is not moot in light of the Superior Court’s October 18 Order.

**IT IS SO ORDERED.**

October 24, 2011

  
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 LUCY H. KOH  
 United States District Judge