

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

LINDA BUCKBEE SELLECK,
Plaintiff,
v.
KEITH EVERTS RODE, et al.,
Defendants.

Case No. [5:13-cv-03055-EJD](#)

**ORDER CONTINUING CASE
MANAGEMENT CONFERENCE**

Having reviewed the parties' Joint Case Management Conference Statement (Docket Item No. 48), the court orders as follows:

1. Because the related criminal action is approaching final resolution, the court now finds the circumstances no longer justify the abatement of this case in favor of that action. Accordingly, the stay first imposed on November 20, 2013 (Docket Item No. 42), and thereafter extended on February 11, 2014 (Docket Item No. 43), is DISSOLVED. The Clerk shall reopen this file.

2. Pursuant to the stay, all pending motions were "terminated without prejudice to be re-filed upon dissolution of the stay." Thus, Defendant CliftonLarsonAllen, LLP's ("Clifton") must re-file its motion to dismiss to place it before the court, and all briefing related to that motion should thereafter re-occur according to Civil Local Rule 7. When filed, Clifton shall notice the motion for hearing at **9:00 a.m. on October 1, 2015.**

3. The Case Management Conference scheduled for July 2, 2015, is CONTINUED to **10:00 a.m. on November 12, 2015.** The parties shall file an updated Joint Case Management Conference Statement, or separate statements if appropriate under Civil Local Rule 16-9, on or

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

before **November 5, 2015.**

IT IS SO ORDERED.

Dated: June 25, 2015


EDWARD J. DAVILA
United States District Judge