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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

MARITES MONTEMAYOR GARCIA,  
Plaintiff,  
v.  
CREDITORS SPECIALTY SERVICE,  
INC., et al.,  
Defendants.

Case No. 14-cv-01806-BLF

**ORDER REGARDING MOTION FOR  
SUMMARY JUDGMENT**

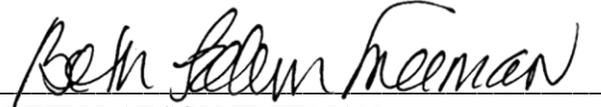
Before the Court is Plaintiff's motion for summary judgment against both Defendants. Defendants' opposition was due on August 18, 2016. Defendants did not oppose Plaintiff's motion within the time provided and still have not filed an opposition. Defendants did not move this Court to extend the deadline to oppose, either. On August 19, 2016, Defendants notified the Court of the bankruptcy filing of Defendant Creditors Specialty Service, Inc. and sought to stay this action. ECF 94; 11 U.S.C. § 362. Section 362 of the Bankruptcy Code stays claims only against the bankrupt party, Creditors Specialty Service, Inc., but does not stay claims brought by Plaintiff against the other Defendant, Charles Stanley, Jr. *See Boucher v. Shaw*, 572 F.3d 1087, 1092 (9th Cir. 2009). Having received no opposition from Defendant Stanley, the Court finds the matter appropriate for submission without oral argument. Civ. L.R. 7-11(b). Accordingly, the

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Court VACATES the hearing scheduled for September 29, 2016, and will proceed to review Plaintiff's motion for summary judgment against Defendant Stanley.

**IT IS SO ORDERED.**

Dated: September 19, 2016

  
BETH LABSON FREEMAN  
United States District Judge