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11 **UNITED STATES DISTRICT COURT**
12 **SOUTHERN DISTRICT OF CALIFORNIA**
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14 In re:,

15 ROLAND PAUL DAIGLE,

16 Debtor.

17 _____
18 ROLAND PAUL DAIGLE, AUDREY
19 DAIGLE

Appellants,

20 vs.

21 JAMES KENNEDY,

22 Appellee.
23 _____

CASE NO. 08CV0256-LAB (AJB)

Bankruptcy No. 02-10222-M7

**ORDER SETTING BRIEFING
SCHEDULE FOR BANKRUPTCY
APPEAL**

24 Pursuant to 28 U.S.C. § 158, Roland Paul Daigle and Audrey Daigle appeal from an
25 Order Approving Judgment On Trustee's Motion For Summary Judgment, entered January
26 16, 2008 in the Bankruptcy Court of the Southern District of California. The court has set a
27 hearing on the appeal before the undersigned District Judge for **June 30, 2008 at 11:30 a.m.**
28 **in Courtroom 9** of the United States District Court, Southern District of California, 940 Front
Street, San Diego, California 92101. The following schedule applies to any portion of the

1 U.S. Bankruptcy Court's decision that is being appealed or cross-appealed. **IT IS HEREBY**
2 **ORDERED:**

3 1. This court shall receive a certified copy of the Record On Appeal no later than
4 **March 14, 2008**. It is counsel's obligation, after determining those sections of the record
5 relevant to the appeal, to notify the court reporter and to arrange for the desired portions of
6 the transcript to be prepared and sent to the bankruptcy appeals clerk at the Bankruptcy
7 Court. See FED. R. BANK. P. 8007; General Order 312-D, § 2.03. All counsel intending to
8 appeal any portion of the Bankruptcy Court's decision, therefore, must notify the court
9 reporter in a timely fashion so that the transcripts may be completed and submitted to the
10 appeals clerk of the Bankruptcy Court for transmittal to this court. Each counsel must also
11 provide to the bankruptcy appeals clerk of the Bankruptcy Court two copies of any
12 documents he or she wants made part of the record so that clerk can certify those
13 documents and transmit them to this court. Each counsel is solely responsible for monitoring
14 the process governing the completion of the record to ensure that this court is provided a
15 certified Record On Appeal under the schedule established in this Order. If the appellee
16 intends to certify portions of the record after receiving the appellant's submissions, then the
17 appellee must do so with the diligence required to permit compliance with the following
18 briefing schedule.

19 2. No later than **April 14, 2008** appellants shall serve and file their opening brief
20 and supporting evidence. The motion shall comply with Civil Local Rule 7.1.h for the District
21 Court, Southern District of California. Any cross-appeals shall be treated as opening
22 motions for purposes of this briefing schedule and shall be filed by this date.

23 3. No later than **May 12, 2008** appellee shall serve and file his responsive brief
24 and supporting evidence. This responsive brief shall comply with Civil Local Rule 7.1.h for
25 the District Court, Southern District of California.

26 4. No later than **June 9, 2008** appellant shall serve and file any reply brief and
27 any evidence directly rebutting the supporting evidence contained in appellee's response.
28 This Reply shall comply with Civil Local Rule 7.1.h for the Southern District of California.

IT IS SO ORDERED.

Larry A. Zinner

HONORABLE LARRY ALAN BURNS
United States District Judge