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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

JEREMY L. KEATING *et al.*,

Plaintiffs,

vs.

JOHN A. JASTRMESKI *et al.*,

Defendants;

AND ALL CROSS-COMPLAINTS.

CASE NO. 3:15-cv-00057-L-AGS

**ORDER DENYING WITHOUT
PREJUDICE MOTIONS FOR
PARTIAL SUMMARY
JUDGMENT (DOCS. NO. 270 &
272)**


Pending before the Court are two motions for partial summary judgment: (1) motion filed by Defendant John A. Jastremski and Counter-Claimant The Retirement Group, LLC ("TRG") against Plaintiffs and Counter-Defendants Jeremy L. Keating, Richard P. Gigliotti and Alexander J. Mele (doc. no. 270); and (2) motion filed by Counter-Defendant Securities America, Inc. ("SAI") against TRG (doc. no. 272). Keating, Gigliotti, Mele and Counter-Defendants Sean Sullivan, Capital Income Advisors LLC ("CIA"), Lloyd Silvers, Steve Dalton and Ardent Retirement Planning, LLC ("ARP") joined in the latter motion. (Doc. no. 277.)

1 Also pending is a motion for terminating sanctions filed by Jastremski and TRG
2 against Keating, Gigliotti, Mele, CIA, ARP, Sullivan, Silvers, Dalton and SAI (doc.
3 no. 157).¹ The ruling on summary judgment motions could be affected by the ruling
4 on the motion for terminating sanctions.

5 Accordingly, the summary judgment motions are denied without prejudice to
6 refiling. If, and to the extent, refiling summary judgment motions is appropriate after
7 ruling on the motions for sanctions, the parties shall meet and confer with a view to
8 arrive at a consolidated briefing schedule for the motions, if any, and jointly call the
9 undersigned's chambers no later than 14 calendar days after final resolution of the
10 motion for terminating sanctions.

11 **IT IS SO ORDERED.**

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13 Dated: June 18, 2018

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15 Hon. M. James Lorenz
16 United States District Judge
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¹ The motion has been referred to a special master. (Doc. no. 316.)