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5 UNITED STATES DISTRICT COURT  
6 SOUTHERN DISTRICT OF CALIFORNIA  
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8 UNITED STATES OF AMERICA,  
9 Plaintiff,

Case No.: 16-cv-1047-WQH-BLM

**ORDER**

10 v.

11 MARIA WEINER; GREAT  
12 WESTERN BANK; FIRST  
13 COMMUNITY FINANCIAL  
14 SERVICES, INC.; EMC  
15 MORTGAGE CORPORATION;  
16 RESIDENTIAL CREDIT  
17 SOLUTIONS, INC.;  
18 CITIFINANCIAL SERVICING,  
19 LLC; JEFF ALLEN MCCOON,  
individually and d/b/a PACIFIC  
STATES CREDIT COMPANY;  
SHELLPOINT MORTGAGE; and  
CARVAL INVESTORS LLC,

20 Defendants.  
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22 HAYES, Judge:

23 On October 13, 2016 Plaintiff United States of America filed the First Amended  
24 Complaint (the "FAC") (ECF No. 20). The FAC is the operative complaint in this matter.  
25 The FAC names nine defendants: Maria Weiner; Great Western Bank; First Community  
26 Financial Services, Inc.; EMC Mortgage Corporation; Residential Credit Solutions, Inc.;  
27 Citifinancial Servicing, LLC; Jeff Allen McCoon; Shellpoint Mortgage; and Carval  
28 Investors LLC. *Id.*

1 On November 16, 2016, Plaintiff filed a Motion for Entry of Default Against  
2 Defendant Jeff Allen McCoon (ECF No. 23). On December 2, 2016, Plaintiff filed a  
3 Motion for Entry of Default Against Defendants Great Western Bank; EMC Mortgage  
4 Corporation; Residential Credit Solutions, Inc.; and Citifinancial Servicing, LLC (ECF No.  
5 25). On February 23, 2017, the Court entered an Order construing Defendants' Motions  
6 for Entry of Default as requests for defaults entered by the Clerk. (ECF No. 28). The  
7 docket reflects that the Clerk declined to enter a default for any Defendant.

8 On September 29, 2017, Plaintiff and Defendant Maria Weiner filed Notifications  
9 of Bankruptcy stating that Defendant Maria Weiner filed a petition for bankruptcy (the  
10 "Bankruptcy Petition") on September 28, 2017. (ECF Nos. 38 and 39). On February 2,  
11 2018, Plaintiff filed a Status Report stating that "when Ms. Weiner filed a Chapter 13  
12 bankruptcy petition . . . [t]hat petition automatically stayed this proceeding." (ECF No. 41  
13 at 3).

14 IT IS HEREBY ORDERED that Plaintiffs shall:

- 15 (1) file a status report either (a) at the culmination of the proceedings regarding the  
16 Bankruptcy Petition or (b) on May 11, 2018, whichever is earlier; and  
17 (2) refile any Requests for Defaults Entered by the Clerk in accordance with Fed. R. Civ.  
18 P. 55 that include, for each defendant, either (a) a summons returned executed or (b) an  
19 affidavit stating who was served, how, where, and when.

20 Dated: February 9, 2018

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22 Hon. William Q. Hayes  
23 United States District Court  
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