

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

MINUTE ORDER

UFCW LOCAL ONE PENSION FUND,

Plaintiff,

vs.

**CIVIL ACTION NO: 6:2009-CV-0984
(NAM/ATB)**

LEVONIAN BROTHERS, INC.

Defendant.

Pursuant to the letter motion/notice (Dkt. No. 18), the Court has been advised that a notice staying the above entitled action has been filed due to the filing of a petition in Bankruptcy by one of the parties, and all presently contemplated proceedings in this Court having been completed, it appears at this time that there is no further reason to maintain this action on the open docket for statistical purposes.

IT IS HEREBY ORDERED THAT: the Clerk of the Court is instructed to submit a JS-6 (using Statistical Code 16) to the Administrative Office of the U.S. Courts.

The parties are advised that nothing contained in this minute order shall be considered a dismissal or disposition of the above entitled action, and should further proceedings in it become necessary or desirable, any party may reopen the action by advising the Court in writing that the stay has been lifted.

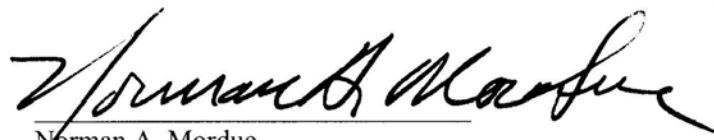
The letter motion (Dkt. No.18) is granted and the motion for default judgment is withdrawn without prejudice with leave to renew upon the reopening of this action.

Upon notification to reopen the action, the parties are directed to request reinstatement of the motion for default judgment.

The clerk of the Court is directed to serve a copy of this order on all parties to the action.

IT IS SO ORDERED.

Dated: August 9, 2010



Norman A. Mordue
Chief United States District Court Judge