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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT TACOMA

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 DANIEL F. HAINES, et al.,

12 Defendants.

CASE NO. C13-5082 BHS

ORDER GRANTING  
PLAINTIFF'S MOTION TO LIFT  
STAY

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14 This matter comes before the Court on the Government's motion to lift stay (Dkt.  
15 82).

16 On June 3, 2014, the Court stayed this action pending Defendant Daniel Haines's  
17 ("Haines") bankruptcy proceeding. Dkt. 76. On August 8, 2014, the Government filed  
18 the instant motion requesting that the Court lift the stay because Haines's bankruptcy  
19 case was dismissed. Dkt. 82. On August 26, 2014, Haines responded arguing that lifting  
20 the stay is not appropriate because he filed a motion for reconsideration of the bankruptcy  
21 dismissal and because his time for appeal has not run. Dkt. 84. The bankruptcy court has  
22 denied Haines's motion for reconsideration, and Haines has failed to cite any authority

1 for the proposition that this action may not proceed despite Haines's appeal. Moreover, it  
2 appears that Haines has failed to timely file an appeal. *See* Dkt. 85 at 2. Therefore, the  
3 Court **GRANTS** the Government's motion and the stay is hereby lifted. The Clerk shall  
4 reopen this case and renote the Government's motion for summary judgment (Dkt. 65)  
5 for consideration on the Court's September 26, 2014 calendar. Pursuant to Local Rule  
6 CR 7, Defendants' response is due no later than September 22, 2014.

7 **IT IS SO ORDERED.**

8 Dated this 3rd day of September, 2014.

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BENJAMIN H. SETTLE  
United States District Judge