

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID J. EDWARDS, et al.,

Defendants.

Case No. 1:17-CV-01105-AWI-SKO

**ORDER CONTINUING STATUS
CONFERENCE**

(Doc. 44.)

On June 29, 2018, the Court entered an order of sale with respect to the property that is the subject of the lawsuit (the “Subject Property”). (Doc. 34.) On October 18, 2018, Plaintiff filed a status report informing the Court that Defendant David J. Edwards had passed away and indicating that it intended to file a motion to substitute the Executrix of Defendant Edward’s Estate for Defendant Edwards. (Doc. 44 at 2. *See also* Doc. 43 (“Statement Noting the Death of Defendant David J. Edwards”).)

The status report also indicated that the Estate communicated to Plaintiff that it would like to attempt to sell the Subject Property through a private sale and that Plaintiff believed it could reach

1 an agreement with the Estate within the next 30 days regarding the terms under which private sale
2 would occur. (Doc. 44 at 2.) According to Plaintiff, if an agreement is reached with the Estate
3 regarding the terms under which a private sale would occur, Plaintiff will file a motion to stay the
4 Court's order of sale to allow the Estate to attempt to sell the Subject Property through a private
5 sale. (*Id.* at 2–3.) Alternatively, if an agreement is not reached, or if Plaintiff's motion to stay the
6 order of sale is not granted, it will proceed with the judicial sale. (*Id.*) If the Subject Property is
7 sold by the Estate's realtor, Plaintiff will move for entry of a money judgment against the Estate
8 for any unpaid portion of Defendant Edwards' federal tax liabilities. It will also move to vacate
9 the order of sale. (*Id.* at 3.)

10 In view of the foregoing, the Court hereby **CONTINUES the telephonic Status Conference**
11 **set for October 25, 2018, to January 30, 2019, at 10:15 AM before Magistrate Judge Sheila K.**
12 **Oberto.** The Court further ORDERS that by no later than January 23, 2019, Plaintiff shall file a
13 status report apprising the Court of the status of this case and, in particular, the sale of the Subject
14 Property.

15
16 IT IS SO ORDERED.

17 Dated: **October 19, 2018**

/s/ *Sheila K. Oberto*
UNITED STATES MAGISTRATE JUDGE