

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff

v.

DAVID J. EDWARDS, et al.,

Defendants

CASE NO. 1:17-CV-1105 AWI SKO

**ORDER VACATING HEARING AND
SETTING NEW OPPOSITION DATE**

This is tax lien case. On October 18, 2018, the United States filed a notice of suggestion of death of Defendant David J. Edwards. See Doc. No. 43. On November 16, 2018, the United States filed a motion to substitute Margot Bellando as the personal representative of the Estate of David J. Edwards for deceased Defendant David J. Edwards. See Doc. No. 46. Hearing on this motion is set for December 31, 2018. However, as part of the motion, counsel for the United States has indicated that counsel for the Estate will not oppose this motion. See Doc. No. 46-1 at 3:8-10.

In light of the representation that the Estate's counsel will not oppose the motion to substitute, the Court finds it appropriate to vacate the hearing date and set a shortened briefing schedule. If the Court receives an opposition to the motion, and if the Court determines that a hearing would be helpful, the Court will set a hearing at that time. Otherwise, the Court intends to resolve this motion without a hearing.

Accordingly, IT IS HEREBY ORDERED that:

1. The December 31, 2018 hearing date on the motion to substitute is VACATED;
2. Any opposition to Plaintiff's motion to substitute shall be filed no later than 1:00 p.m. on November 30, 2018;
3. Any reply may be filed by 1:00 p.m. on December 7, 2018; and
4. Plaintiff shall serve a copy of this order on the Estate's counsel, William A. Romaine, as well as on Margot Bellando.

IT IS SO ORDERED.

Dated: November 20, 2018



SENIOR DISTRICT JUDGE