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IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

CENTRAL DIVISION

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**AXIS SURPLUS INSURANCE COMPANY,**

**Plaintiff,**

**vs.**

**ROBERT D. GERINGER; KIRBY D. COCHRAN;  
ROBERT CLAWSON; DOUGLAS W. CHILD;  
JEFF AUSTIN; WILLIAM H. DAVIDSON;  
WILLIAM K. WARWICK; WILLIAM GRUNDY;  
and KEITH GREEN,**

**Defendants.**

**ORDER CONTINUING HEARING**

**Case No. 2:14CV244 DAK**

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This matter is before the court on Robert D. Geringer's Ex Parte Motion to Continue Evidentiary Hearing Without Date. This court had previously scheduled a March 17, 2015, evidentiary hearing on the Liquidating Trustee's "Amended Motion for Approval of Settlement Agreement Between Trustee and William Warwick Under Federal Rule of Bankruptcy Procedure 9019" (the "Settlement Motion"). Defendant Kirby Cochran, along with other Defendants, have objected to the Settlement Motion. But Mr. Cochran recently filed a petition seeking relief under Chapter 7 of the Bankruptcy Code, triggering an automatic stay under 11 U.S.C. § 362(a)(1) and prompting the instant motion.

The Trustee has objected to the Motion to Continue and urges the court to proceed with the March 17, 2015, hearing. The court, however, declines to do so and hereby VACATES the March 17, 2015, evidentiary hearing. The court will hold a status conference on May 12,

2015, at 3:00 P.M. to determine whether to set a date certain for the hearing.

DATED this 11<sup>th</sup> day of March, 2015.

BY THE COURT:

A handwritten signature in black ink that reads "Dale A. Kimball". The signature is written in a cursive style and is positioned above a solid horizontal line.

DALE A. KIMBALL

United States District Judge