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13 *Attorneys for Plaintiffs*

14 **UNITED STATES DISTRICT COURT**  
 15 **NORTHERN DISTRICT OF CALIFORNIA**

16  
17 **JD BROTHERS LLC, et al.,**

18 **Plaintiffs,**

19 **vs.**

20  
21 **LIBERTY ASSET MANAGEMENT**  
22 **CORPORATION, et al.,**

23 **Defendants.**

Case No. 3:15-cv-01373-VC

~~[PROPOSED]~~ ORDER RE:

(1) PLAINTIFF’S MOTION FOR  
PARTIAL SUMMARY  
JUDGMENT (DKT NO. 130);

(2) DEFENDANT’S RULE 56(d)  
MOTION (DKT NO. 137)

Trial Date: June 12, 2017

**PROPOSED ORDER**

On October 27, 2016, Plaintiff Wendy Huang in her capacity as Trustee of the Guo/Huang Family Trust (“Plaintiff”) and Defendant Benjamin Kirk (“Defendant”) (collectively, the “Parties”), filed a Stipulation and Proposed Order Re Plaintiff’s Motion For Partial Summary Judgment (Docket No. 130) and Defendant’s Rule 56(d) Motion (Dkt No. 137). Docket No. 146.

Pursuant to the Stipulation of the Parties, and good cause appearing, Plaintiff’s Motion for Partial Summary Judgment (Docket No. 130) is hereby **GRANTED** on the issue of liability.

The issue of damages for Defendant’s breach of the April 21, 2011 Promissory Note between Defendant Benjamin Kirk and the Guo/Huang Family Trust as amended on June 21, 2012 and July 21, 2013 will be resolved after the close of fact discovery on a date to be set by the Court.

The hearings on Plaintiff’s Motion for Partial Summary Judgment and Defendant’s Rule 56(d) Motion, currently set for November 10, 2016, are vacated.

**IT IS SO ORDERED.**

Dated: November 3, 2016



HONORABLE VINCE CHHABRIA  
UNITED STATES DISTRICT JUDGE

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