

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ANGELOTTI CHIROPRACTIC,
INC., et al.,

Plaintiffs,

v.

CHRISTINE BAKER, et al.,

Defendants.

Case No. 8:13-cv-01139-GW-JEM

**[Proposed] Order Vacating
Preliminary Injunction**

Before the Court is the Joint Status Report filed by the parties on October 29, 2015. The Court, having considered the Joint Status Report and being further informed of the premises at a Status Conference held on November 2, 2015, hereby enters the following order setting forth the terms upon which this Court's November 13, 2013 preliminary injunction is vacated:

1. Defendants are hereby granted until November 9, 2015 to re-establish the payment systems that were in place prior to the entry of the Court's preliminary injunction to allow for payment of lien activation fees pursuant to Cal. Lab Code § 4903.06.

2. Provided that those payment systems are re-established by November 9, 2015, any holder of a lien filed pursuant to subdivision (b) of Cal. Labor Code § 4903 prior to January 1, 2013 or cost that was filed as a lien prior to January 1, 2013 shall be permitted to pay lien activation fees required by Cal. Lab Code § 4903.06 from November 9, 2015 to December 31, 2015. No lien filed pursuant to subdivision (b) of Cal. Labor Code § 4903 prior to January 1, 2013 nor any cost that was filed as a lien prior to January 1, 2013 for which an activation fee has been paid on or before December 31, 2015 shall be subject to dismissal pursuant to Cal. Lab Code §

4903.06(a)(5). This paragraph shall have no effect on liens that were dismissed prior to this order.

3. In the event the payment systems are not re-established by November 9, 2015, or thereafter become non-operational, the December 31, 2015 deadline shall be extended by one calendar day for every day the payment systems are non-operational. “Non-operational” for the purposes of this order means that one or more of the payment systems are unable to receive lien activation fee payments for a total of six or more hours in any twenty-four hour period. In the event this occurs, counsel for the parties shall confer and submit a stipulation documenting the extension.

4. Unless otherwise extended by stipulation and order of this court pursuant to the preceding paragraph, any lien filed pursuant to subdivision (b) of Cal. Labor Code § 4903 prior to January 1, 2013 or any cost that was filed as a lien prior to January 1, 2013 for which the lien activation fee has not been paid pursuant to Cal. Labor Code § 4903.06 and this order on or before December 31, 2015 shall be dismissed by operation of law pursuant to Cal. Lab Code § 4903.06(a)(5).

5. Other than as set forth above, the Court’s November 13, 2013 Preliminary Injunction (Dkt. 55) is hereby vacated.

SO ORDERED.

Dated: _____, 2015

Hon. George H. Wu, U.S.D.J.

United States District Court
Central District of California
Los Angeles Division