

AUG 03 2016

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

GLORIA A. ROMANI,

Plaintiff - Appellant,

v.

WELLS FARGO BANK, N.A., DBA
Wells Fargo Home Mortgage, Inc.; et al.,

Defendants - Appellees.

No. 14-35018

D.C. No. 3:11-cv-00382-PA

MEMORANDUM*

Appeal from the United States District Court
for the District of Oregon
Owen M. Panner, Senior District Judge, Presiding

Argued and Submitted November 6, 2015
Portland, Oregon

Before: BERZON and WATFORD, Circuit Judges, and SOTO,** District Judge.

The district court properly entered summary judgment for the defendants and denied Gloria Romani’s motion for leave to amend her complaint as futile.

Romani argues that the foreclosure sale of her property was invalid because the

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The Honorable James Alan Soto, United States District Judge for the U.S. District Court for the District of Arizona, sitting by designation.

notice of sale that she received did not identify the proper beneficiary of the trust deed. However, the Oregon Trust Deed Act forbids post-sale challenges based on this technical defect in the notice of sale, for the reasons stated in *Woods v. U.S. Bank N.A.*, ___ F.3d ___ (9th Cir. 2016). *See* Or. Rev. Stat. § 86.797(1) (formerly § 86.770(1)).

We need not consider whether Romani's appeal is also barred by issue preclusion. For this reason, appellees' motion for judicial notice is **DENIED**.

AFFIRMED.