

NoFeeRequired

**U.S. Bankruptcy Court
Central District of California (Santa Barbara)
Adversary Proceeding #: 9:16-ap-01060-PC**

Assigned to: Peter Carroll

Date Filed: 06/15/16

Lead BK Case: [16-10842](#)

Lead BK Title: Margaret Lucille Carswell

Lead BK Chapter: 11

Demand:

Nature[s] of Suit: 62 Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud
65 Dischargeability - other
71 Injunctive relief - reinstatement of stay
72 Injunctive relief - other
91 Declaratory judgment

Plaintiff

Margaret Lucille Carswell
845 Sea Ranch Drive
Santa Barbara, CA 93109
805-687-1199
SSN / ITIN: xxx-xx-2523

represented by **Margaret Lucille Carswell**
PRO SE

V.

Defendant

Select Portfolio Servicing, Inc

represented by **Shiva D. Beck**
Locke Lord LLP
2200 Ross Avenue
Suite 2800
Dallas, TX 75201
U.S.A.
214-740-8000
Fax : 214-756-8296
Email: sdelrahim@lockelord.com

Defendant

**U.S. Bank NA, trustee of the WaMu Mortgage
Pass - Through Certificates Series 2007-OA1**

represented by **Shiva D. Beck**
(See above for address)

Trust**Defendant****Does 1-19**represented by **Does 1-19**
PRO SE**U.S. Trustee****United States Trustee (ND)**
915 Wilshire Blvd, Suite 1850
Los Angeles, CA 90017

| Filing Date | # | Docket Text |
|--------------------|-------------------------------|--|
| 06/15/2016 | 1 (42 pgs) | Adversary case 9:16-ap-01060. Complaint by Margaret Lucille Carswell against Select Portfolio Servicing, Inc , U.S. Bank NA, trustee of the WaMu Mortgage Pass - Through Certificates Series 2007-OA1 Trust , Does 1-19 . (Fee Not Required). Nature of Suit: (62 (Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud)) , (65 (Dischargeability - other)) ,(71 (Injunctive relief - reinstatement of stay)) ,(72 (Injunctive relief - other)) ,(91 (Declaratory judgment))(Ortiz, Amber) (Entered: 06/15/2016) |
| 06/15/2016 | 2 (4 pgs) | Summons Issued on Plaintiff, service to be made upon Defendants Does 1-19 Date Issued 6/15/2016, Answer Due 7/15/2016; Select Portfolio Servicing, Inc Date Issued 6/15/2016, Answer Due 7/15/2016; U.S. Bank NA, trustee of the WaMu Mortgage Pass - Through Certificates Series 2007-OA1 Trust Date Issued 6/15/2016, Answer Due 7/15/2016 (RE: related document(s) 1 Complaint filed by Plaintiff Margaret Lucille Carswell) Status hearing to be held on 9/8/2016 at 10:00 AM at Crtrm 201, 1415 State St., Santa Barbara, CA 93101. The case judge is Peter Carroll (Handy, Brad) (Entered: 06/15/2016) |
| 06/15/2016 | 3 (5 pgs) | Order Re: Rule 26(f) Meeting, Initial Disclosures, and Rule 16(b) Scheduling Conference(Related |

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| | | Doc # 1) Signed on 6/15/2016 (Handy, Brad) (Entered: 06/15/2016) |
| 06/17/2016 | 4 (6 pgs) | BNC Certificate of Notice - PDF Document. (RE: related document(s) 3 Order (Generic) (BNC-PDF)) No. of Notices: 1. Notice Date 06/17/2016. (Admin.) (Entered: 06/17/2016) |
| 06/27/2016 | 5 (4 pgs) | Another Summons Issued on Plaintiff, service to be made up Defendants Does 1-19 Date Issued 6/27/2016, Answer Due 7/27/2016; Select Portfolio Servicing, Inc Date Issued 6/27/2016, Answer Due 7/27/2016; U.S. Bank NA, trustee of the WaMu Mortgage Pass - Through Certificates Series 2007-OA1 Trust Date Issued 6/27/2016, Answer Due 7/27/2016 (RE: related document(s) 1 Complaint filed by Plaintiff Margaret Lucille Carswell) Status hearing to be held on 9/8/2016 at 10:00 AM at Crtrm 201, 1415 State St., Santa Barbara, CA 93101. The case judge is Peter Carroll (Handy, Brad) Clerk's Note: The Summons was mailed to plaintiff on 6/27/16. Modified on 6/27/2016 (Handy, Brad). (Entered: 06/27/2016) |
| 07/07/2016 | 6 (1 pg) | Proof of service Filed by Plaintiff Margaret Lucille Carswell (RE: related document(s) 3 Order Re: Rule 26(f) Meeting, Initial Disclosures, and Rule 16(b) Scheduling Conference (BNC-PDF)). (Handy, Brad) (Entered: 07/07/2016) |
| 07/07/2016 | 7 (1 pg) | Summons Service Executed on Margaret Lucille Carswell 7/7/2016 (Handy, Brad) (Entered: 07/07/2016) |
| 07/27/2016 | 8 (24 pgs) | Motion to Dismiss Adversary Proceeding Filed by Defendants Select Portfolio Servicing, Inc, U.S. Bank NA, trustee of the WaMu Mortgage Pass - Through Certificates Series 2007-OA1 Trust (Beck, Shiva) (Entered: 07/27/2016) |
| 07/27/2016 | 9 (70 pgs; 12 docs) | Request for judicial notice Filed by Defendants Select Portfolio Servicing, Inc, U.S. Bank NA, trustee of the WaMu Mortgage Pass - Through Certificates Series 2007-OA1 Trust (RE: related document(s) 8 Motion to Dismiss Adversary Proceeding). (Attachments: # 1 Exhibit A # 2 Exhibit B # 3 Exhibit C # 4 Exhibit D # 5 Exhibit E # 6 Exhibit F # 7 Exhibit G # 8 Exhibit H # 9 |

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| | | Exhibit I # 10 Exhibit J # 11 Exhibit K) (Beck, Shiva) (Entered: 07/27/2016) |
| 07/27/2016 | 10 (4 pgs) | Statement of Corporate Ownership filed. Filed by Defendants Select Portfolio Servicing, Inc, U.S. Bank NA, trustee of the WaMu Mortgage Pass - Through Certificates Series 2007-OA1 Trust. (Beck, Shiva) (Entered: 07/27/2016) |
| 07/27/2016 | 11 | Hearing Set (RE: related document(s) 8 Motion to Dismiss Adversary Proceeding filed by Defendant Select Portfolio Servicing, Inc, Defendant U.S. Bank NA, trustee of the WaMu Mortgage Pass - Through Certificates Series 2007-OA1 Trust) The Hearing date is set for 9/8/2016 at 10:00 AM at Crtrm 201, 1415 State St., Santa Barbara, CA 93101. The case judge is Peter Carroll (Handy, Brad) (Entered: 08/09/2016) |
| 08/23/2016 | 12 (15 pgs) | Response to (related document(s): 8 Motion to Dismiss Adversary Proceeding filed by Defendant Select Portfolio Servicing, Inc, Defendant U.S. Bank NA, trustee of the WaMu Mortgage Pass - Through Certificates Series 2007-OA1 Trust) Filed by Plaintiff Margaret Lucille Carswell (Handy, Brad) (Entered: 08/23/2016) |
| 09/01/2016 | 13 (10 pgs) | Reply to (related document(s): 8 Motion to Dismiss Adversary Proceeding filed by Defendant Select Portfolio Servicing, Inc, Defendant U.S. Bank NA, trustee of the WaMu Mortgage Pass - Through Certificates Series 2007-OA1 Trust) Filed by Defendants Select Portfolio Servicing, Inc, U.S. Bank NA, trustee of the WaMu Mortgage Pass - Through Certificates Series 2007-OA1 Trust (Beck, Shiva) (Entered: 09/01/2016) |
| 09/01/2016 | 14 (7 pgs) | Status report (<i>JOINT</i>) Filed by Defendants Select Portfolio Servicing, Inc, U.S. Bank NA, trustee of the WaMu Mortgage Pass - Through Certificates Series 2007-OA1 Trust (RE: related document(s) 3 Order (Generic) (BNC-PDF)). (Beck, Shiva) (Entered: 09/01/2016) |
| 09/07/2016 | 15 (54 pgs) | Amended Complaint by Margaret Lucille Carswell against Does 1-19 , Select Portfolio Servicing, Inc . (RE: related document(s) 1 Adversary case 9:16-ap-01060. Complaint by Margaret Lucille Carswell |

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| | | against Select Portfolio Servicing, Inc , U.S. Bank NA, trustee of the WaMu Mortgage Pass - Through Certificates Series 2007-OA1 Trust , Does 1-19 . (Fee Not Required). Nature of Suit: (62 (Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud)) ,(65 (Dischargeability - other)) ,(71 (Injunctive relief - reinstatement of stay)) ,(72 (Injunctive relief - other)) ,(91 (Declaratory judgment)) filed by Plaintiff Margaret Lucille Carswell). (Handy, Brad) (Entered: 09/07/2016) |
| 09/08/2016 | | Hearing (Adv Other) Continued (RE: related document(s) 1 COMPLAINT filed by Margaret Lucille Carswell) Status Hearing to be held on 11/10/2016 at 10:00 AM 1415 State Street Courtroom 201 Santa Barbara, CA 93101 for 1 , (Zick, Ryan) (Entered: 09/08/2016) |
| 09/08/2016 | 16 | Hearing Held - Under Submission (RE: related document(s) 8 Motion to Dismiss Adversary Proceeding filed by Defendant Select Portfolio Servicing, Inc, Defendant U.S. Bank NA, trustee of the WaMu Mortgage Pass - Through Certificates Series 2007-OA1 Trust) (Zick, Ryan) (Entered: 09/08/2016) |
| 09/15/2016 | 17 (17 pgs) | MEMORANDUM DECISION (BNC-PDF) (Related Doc # 8) Signed on 9/15/2016 (Chackel, Danielle) (Entered: 09/15/2016) |
| 09/17/2016 | 18 (18 pgs) | BNC Certificate of Notice - PDF Document. (RE: related document(s) 17 Memorandum of decision (BNC-PDF)) No. of Notices: 1. Notice Date 09/17/2016. (Admin.) (Entered: 09/17/2016) |
| 10/03/2016 | 19 (2 pgs) | NOTICE OF REFERRAL OF NON-CORE PROCEEDING (RE: related document(s) 17 MEMORANDUM DECISION (BNC-PDF) (Related Doc # 8) Signed on 9/15/2016). (Zick, Ryan) (Entered: 10/03/2016) |