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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	SACV 11-0785 AG (ANx)	Date	June 7, 2011
Title	TERALYN THOA NGUYEN, et al. v. COUNTRYWIDE BANK, et al.		

Present: The Honorable	ANDREW J. GUILFORD		
Lisa Bredahl	Not Present		
Deputy Clerk	Court Reporter / Recorder	Tape No.	
Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:		

Proceedings: [IN CHAMBERS] ORDER DISMISSING CASE

Plaintiffs Teralyn Thao Nguyen and Cuong Dux Nguyen (“Plaintiffs”) filed a complaint against Defendants Countrywide Bank, et al. (“Defendants”). Plaintiffs allege various state law claims regarding the purchase of real property in Santa Clara County, California.

The complaint fails to set forth the basis for this Court’s jurisdiction, as is *required* under Federal Rule of Civil Procedure 8(a). On the civil cover sheet accompanying the complaint, Plaintiffs’ counsel has checked off the box for federal question jurisdiction, specifically citing the RICO statute. But a RICO claim appears nowhere in the complaint, nor do Plaintiffs allege violation of any other federal statutes. In addition, the complaint fails to explain why venue is proper in the Central District of California, when it appears from the complaint that the property in question is not located in this district.

The Court has ongoing concerns about protecting plaintiffs’ rights in foreclosure-related cases, and in particular the Court has concerns about valid claims being lost through the sloppiness – or worse – of unprofessional lawyers.

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It does not appear that the Court has jurisdiction over this case as pleaded. The Court DISMISSES the case without prejudice. The Court also ORDERS counsel for Plaintiffs to send a copy of this Order to Plaintiffs themselves.

Initials of Preparer _____ : _____
lmb _____