

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. SACV 12-01259-CJC(JPRx)

Date: August 10, 2012

Title: RONALD GOSSETT v. AMTRUST BANK, ET AL.

PRESENT:

HONORABLE CORMAC J. CARNEY, UNITED STATES DISTRICT JUDGE

Michelle Urie
Deputy Clerk

N/A
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFF: ATTORNEYS PRESENT FOR DEFENDANT:

None Present

None Present

**PROCEEDINGS: (IN CHAMBERS) ORDER TO SHOW CAUSE WHY THIS
CASE SHOULD NOT BE DISMISSED FOR FAILURE TO STATE A CLAIM**

Plaintiff filed this action against Defendants asserting eleven causes of action, including one sounding in fraud, relating to the non-judicial foreclosure process initiated on his property. Based upon a review of the complaint, it appears that Plaintiff's claims fail to state a claim, primarily because Plaintiff's claims rely on allegations that Defendants do not have an interest in Plaintiff's property because of the securitization process, a theory which courts have repeatedly rejected. Plaintiff's allegations also merely state the elements of their causes of action and do not provide sufficient facts to give Defendants notice of the nature of the allegations against them. Accordingly, the Court orders Plaintiff to show cause why this case should not be dismissed for failure to allege any cognizable claim. Plaintiff shall file an opposition to the Court's order to show cause by August 24, 2012. Defendants shall then have until August 31, 2012 to file a response. This matter will be decided on the papers without any hearing.

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