1 2 3 4 5 6 UNITED STATES DISTRICT COURT 7 EASTERN DISTRICT OF CALIFORNIA 8 GORDON BOWMAN, 1:08cv0119 AWI DLB 9 10 ORDER REQUIRING PLAINTIFF TO Plaintiff, SUBMIT SECOND STATUS REPORT 11 v. 12 MORTGAGE TREE LENDING, INC., 13 et al., 14 Defendants. 15 16 17 On December 9, 2008, the Court granted Plaintiff Gordon Bowman's motion for leave to 18 take class discovery. He was ordered to file a status report by March 31, 2009. 19 On March 31, 2009, Plaintiff filed his status report, which explained that he attempted to serve subpoenas on three individuals whom he believed were former officers, executives or 20 21 employees of Defendant Mortgage Tree Lending, Inc., which is now in default. Plaintiff 22 received one objection to the subpoenas on the basis that Defendant had filed for bankruptcy protection on February 4, 2009. 23 24 25 26 27 ¹ Plaintiff believes that W.J. Bradley purchased Mortgage Tree Lending, Inc., and is now the owner of the 28 ARM loans at issue. He has been named as a Defendant. 1

Plaintiff is ORDERED to file a second status report no later than July 15, 2009. Plaintiff is warned that continued failure to effectuate class discovery and name a viable defendant may lead to an order to show cause why this action should not be dismissed. IT IS SO ORDERED. /s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE Dated: <u>April 15, 2009</u>