

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA – FRESNO DIVISION

6	EDWARD GOMEZ,)	Case No. 1:10-CV-01463-OWW-DLB
7)	
7	Plaintiff,)	[Assigned to Hon. Oliver W. Wanger, District
8)	Judge, Courtroom 3]
8	vs.)	
9)	
10	WORLD SAVINGS BANK FSB,)	
10	MORTGAGE ELECTRONIC)	
11	REGISTRATION SYSTEMS, WELLS FARGO))	
11	BANK, CAL WESTERN RECONVEYANCE))	
12	CORP; and DOES 1 through 100, inclusive))	ORDER DISMISSING FIRST AMENDED
13)	COMPLAINT AGAINST DEFENDANT
13)	WELLS FARGO BANK, N.A. (AND ITS
14	Defendants.)	INTERNAL DIVISIONS WELLS FARGO
14)	HOME MORTGAGE AND WACHOVIA
15)	MORTGAGE) WITH PREJUDICE
15)	
16)	

On December 13, 2010, this Court issued its *Memorandum Decision Regarding Motion to Dismiss (Doc. 16)*, sustaining, with prejudice, the Motion to Dismiss Plaintiff’s First Amended Complaint against defendant WELLS FARGO BANK, N.A., (including its internal division Wells Fargo Home Mortgage and Wachovia Mortgage, a division of Wells Fargo Bank, N.A., formerly known as Wachovia Mortgage, FSB, and World Savings Bank, FSB, sued as “Wells Fargo Bank, successor to Wachovia Mortgage FKA World Savings Bank, FSB” (“WELLS FARGO BANK”).

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Accordingly:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. First claim for relief: “*Predatory Lending*” is DISMISSED, with prejudice;
2. Second claim for relief: “*RESPA*” is DISMISSED, with prejudice;
3. Third claim for relief: “*Unfair Competition Law Claims*” is DISMISSED, with

1 prejudice;

2 4. Fourth claim for relief: “*Conspiracy to Commit Fraud, Conversion*” is DISMISSED,
3 with prejudice;

4 5. Fifth claim for relief: “*Conspiracy to Commit Fraud, MERS System*” is DISMISSED,
5 with prejudice;

6 6. Sixth claim for relief: “*Unjust Enrichment*” is DISMISSED, with prejudice;

7 7. Seventh claim for relief: “*Vacate and Set Aside Foreclosure*” is DISMISSED, with
8 prejudice;

9 8. Eighth claim for relief: “*Quiet Title*” is DISMISSED, with prejudice;

10 9. Ninth claim for relief: “*Fraud*” is DISMISSED, with prejudice;

11 10. Tenth claim for relief: “*Cal. Civ. Code §§ 1916.7, 1920, 1921*” is DISMISSED, with
12 prejudice;

13 11. Eleventh claim for relief: “*Inspection and Accounting*” is DISMISSED, with
14 prejudice;

15 12. Twelfth claim for relief: “*Injunctive and Declaratory Relief*” is DISMISSED, with
16 prejudice;

17 IT IS HEREBY ORDERED:

18 1. Plaintiff’s First Amended Complaint is DISMISSED in its entirety, with prejudice;

19 2. Defendant’s Motion to Strike (Doc. 17) is MOOT.

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21 Dated: December 29, 2010

/s/ OLIVER W. WANGER
UNITED STATES DISTRICT JUDGE