

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

EDWARD B. HAMILTON, et al.,

CASE NO. CV F 10-1740 LJO SKO

Plaintiffs,

**ORDER TO VACATE HEARING ON
MOTION TO EXPUNGE LIS PENDENS AND
TO AWARD ATTORNEY FEES
(Doc. 25.)**

vs.

BANK OF BLUE VALLEY, et al.,

Defendants.

_____ /

On December 21, 2010, defendants JP Morgan Chase Bank, N.A. (“Chase”) and Mortgage Electronic Systems, Inc. (“MERS”) filed papers to expunge a lis pendens recorded for the Oakhurst, California residence of plaintiffs Edward Hamilton and Anne Marie Hamilton (“Mr. and Mrs. Hamilton”) in connection with their now dismissed action. Chase and MERS (collectively “defendants”) further sought \$1,375 attorney fees incurred to pursue the motion to expunge the lis pendens. On December 23, 2010, Mr. and Mrs. Hamilton recorded a removal of the lis pendens with the Madera County Recorder. On December 28, 2010, defendants filed their withdrawal of motion to expunge lis pendens and to award attorney fees. As such, this Court VACATES the January 25, 2011 hearing on defendants’ motion to expunge lis pendens and to award attorney fees and takes no further action on the motion. The clerk is directed to term document no. 25.

IT IS SO ORDERED.

Dated: December 29, 2010

/s/ Lawrence J. O'Neill

UNITED STATES DISTRICT JUDGE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28