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

HONORIO S. RAMIREZ,

Plaintiff,

v.

DEUTSCHE BANK AS TRUSTEE for Long Beach Mortgage Loan Trust 2004-4, Mortgage Loan Pass-Through Certificates, Series 2004-4; JPMORGAN CHASE BANK, N.A.; LONG BEACH MORTGAGE COMPANY; ALAW; FEDERAL DEPOSIT INSURANCE CORPORATION; SELECT PORTFOLIO SERVICING, INC. and Does 1-100,

Defendants.

Case No. 1:14-cv-00308-LJO-BAM

ORDER REFERRING PENDING MOTION TO DISMISS TO MAGISTRATE JUDGE BARBARA A. MCAULIFFE (DOC. 18)

On March 5, 2014, Plaintiffs filed this lawsuit concerning a mortgage loan on a piece of real property in Modesto, California. (ECF No. 1.) On April 14, 2014, Defendants Select Portfolio Servicing, Inc. and Deutsche Bank filed a motion to dismiss. (ECF No. 18.)

The Court has reviewed the pending motion, and due to the Court’s impacted docket and priority of criminal cases over civil matters, the Court finds that the pending motion should be referred to Magistrate Judge Barbara A. McAuliffe for entry of Findings and Recommendations pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72.

1 Accordingly, it is HEREBY ORDERED that:

- 2 1. Defendants' motion to dismiss is **REFERRED** to Magistrate Judge Barbara A.
3 McAuliffe;
- 4 2. The hearing scheduled for May 22, 2014 at 8:30 a.m. in Courtroom 4 (LJO) before
5 District Judge Lawrence J. O'Neill is **VACATED**; and
- 6 3. The parties are hereby informed that Magistrate Judge Barbara A. McAuliffe's Chambers
7 will set a new hearing date at the Court's convenience.
- 8

9 IT IS SO ORDERED.

10 Dated: April 18, 2014

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE