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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

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ELVIS WILLIAMS, an individual,  
on behalf of himself and  
others similarly situated,

Plaintiff,

NO. CIV. 2:07-2418 WBS GGH

v.

ORDER

FEDERAL DEPOSIT INSURANCE  
CORPORATION, as receiver for  
Washington Mutual Bank,

Defendant.

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The above-captioned matter is before the court on a limited remand from the Ninth Circuit to determine "which party, Chase or the FDIC, is the proper successor to Washington Mutual in this case." After considering the parties' suggestions, the court finds that an expedited briefing schedule with separate briefs from plaintiff Elvis Williams, defendant Federal Deposit Insurance Corporation ("FDIC"), and real-party-in-interest Chase Bank USA, N.A. ("Chase") will best address the issue before the

1 court.<sup>1</sup>

2 IT IS THEREFORE ORDERED that Williams, FDIC, and Chase  
3 shall submit individual opening briefs no later than December 9,  
4 2009; each party may then file a responsive brief no later than  
5 December 16, 2009; and oral argument is set for 2:00 p.m. on  
6 December 21, 2009.

7 IT IS SO ORDERED.

8 DATED: November 30, 2009

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10 WILLIAM B. SHUBB  
11 UNITED STATES DISTRICT JUDGE  
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24 <sup>1</sup> Although the Ninth Circuit's Order remanding this  
25 action is dated September 15, 2009, the court has yet to receive  
26 formal notice of the Ninth Circuit's limited remand. In fact,  
27 the court did not learn about the Ninth Circuit's September 15,  
28 2009 Order until an individual from the Ninth Circuit contacted  
the court in early November 2009 to inquire why the court had not  
taken action. The court will thus schedule an expedited hearing  
to ensure that the issue before the court on remand is resolved  
as promptly as possible.