

ADORNO YOSS ALVARADO & SMITH
ATTORNEYS AT LAW
SANTA ANA

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

PRESENTACION R. HAW,

Plaintiffs,

v.

WASHINGTON MUTUAL BANK, INDYMAC
BANK, F.S.B., MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.,
MORTGAGEIT, INC., QUALITY LOAN
SERVICE, CORP.; GMAC MORTGAGE,
L.L.C.; JPMORGAN CHASE BANK,
NATIONAL ASSOCIATION, and DOES 1 TO
98, INCLUSIVE;

Defendant.

CASE NO.: 209-CV-0407 FCD-KJN

JUDGE: Hon. Judge Frank C. Damrell, Jr

**ORDER GRANTING MOTION FOR
ORDER EXPUNGING LIS PENDENS**

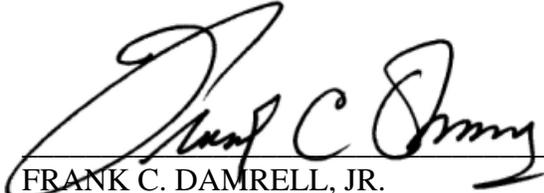
This matter is before the Court on the motion of Defendant JPMorgan Chase Bank, N.A., An Acquirer Of Certain Assets And Liabilities Of Washington Mutual Bank From The Federal Deposit Insurance Corporation Acting As Receiver (“JPMorgan” or “Defendant”), for an order to expunge

1 the Notice of Pendency of Action filed against the real property located at 4900 Waterstone Drive,
2 Roseville, California 95747 (“Subject Property”).

3 Having read and considered the motion, the memoranda and declaration filed by defendant,
4 and considering that no opposition was file to the motion, the Court finds that Plaintiff did not
5 establish by a preponderance of the evidence the probable validity of the alleged real property claim
6 because the First Amended Complaint was dismissed by the United States District Court and
7 therefore cannot affect title or possession of the Subject Property.

8 **IT IS ORDERED THAT** the motion is granted. The Notice of Pendency of Action (lis
9 pendens) recorded on February 13, 2009 with the Placer County Recorder’s Office, as Document
10 No. 20090010568 is ordered expunged.

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12 Date: June 8, 2010

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14 FRANK C. DAMRELL, JR.
15 UNITED STATES DISTRICT JUDGE
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