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

MATTHEW SARAD, et al.,

Plaintiffs,

No. CIV S-09-1080 FCD DAD PS

vs.

OPTION ONE MORTGAGE, et al.,

ORDER

Defendants.

_____ /

This matter came before the court on October 2, 2009, for hearing of the motion to dismiss, for more definite statement, and/or to strike that was filed by defendant American Home Mortgage Servicing, Inc. on August 6, 2009, and subsequently re-noticed for hearing before the undersigned.¹ Plaintiff Matthew Sarad, proceeding pro se, appeared at the hearing on his own behalf. No appearance was made by plaintiff Nelli Sarad, who is also proceeding pro se. Nick Hood appeared telephonically for T. Robert Finlay, attorney of record for defendant American Home Mortgage Servicing, Inc. Bruce T. Bauer appeared telephonically for

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¹ The case was also before the court for the status (pretrial scheduling) conference that was continued from September 4, 2009, to October 2, 2009, due to the failure of any party to appear on the scheduled date.

1 defendants Option One Mortgage, now known as Sand Canyon Corporation, and H & R Block,
2 who joined in the motion filed by defendant American Home Mortgage Servicing, Inc.

3 After hearing and for the reasons stated on the record, the undersigned denied
4 defendants' motions without prejudice and vacated the status conference.

5 IT IS HEREBY ORDERED that:

6 1. The August 6, 2009 motion to dismiss, for more definite statement, and/or to
7 strike (Doc. No. 9) filed by defendant American Home Mortgage Servicing, Inc. and joined in by
8 defendants Option One Mortgage and H & R Block on September 10, 2009, is denied without
9 prejudice to the filing of renewed motions to dismiss;

10 2. Defendants' renewed motions or answers to plaintiffs' complaint shall be filed
11 and served within ten days after October 2, 2009; if motions are filed, they shall be noticed for
12 hearing in accordance with Local Rule 78-230(a) and (b), and plaintiffs' opposition shall be filed
13 and served in accordance with Local Rule 78-230(c) and the deadlines set out therein; and

14 3. The Status (Pretrial Scheduling) Conference set for September 4, 2009, and
15 continued to October 2, 2009 is vacated, to be re-set at a future time, as appropriate.

16 DATED: October 2, 2009.

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DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

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