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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DONALD SANCHEZ,

No. 2:09-cv-01186-MCE-GGH

Plaintiff,

_____ v.

ORDER

INDYMAC BANK, FSB, et al.,

Defendants.

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Presently before the Court is a Motion by Federal Home Loan Mortgage Corporation ("Freddie Mac") to Expunge the Lis Pendens recorded on the property at 485 Ribier Court, Manteca, County of San Joaquin, California. Freddie Mac also seeks an award of attorney's fees and costs pursuant to Cal. Civ. Proc. Code § 405.38

Freddie Mac is the current owner of the property, which it purchased at a trustee's sale that took place on September 17, 2009 following default by Plaintiff Donald Sanchez ("Plaintiff") on a mortgage loan secured by his residence. Plaintiff recorded a Lis Pendens against the property on May 5, 2009.

1 In response to the Motion to Expunge Lis Pendens, Plaintiff
2 has filed a Conditional Opposition in which he does not oppose
3 expungement of the lis pendens, or a grant of attorney's fees and
4 costs. Plaintiff only opposes the amount requested by counsel.

5 Freddie Mac requests an award of \$2,125.00. However, the
6 Court finds that reasonable attorney's fees for preparation and
7 commission of a motion of this nature is \$1,000.00.

8 Accordingly, Freddie Mac's Motion to Expunge Lis Pendens
9 (ECF No. 67) is hereby GRANTED. Plaintiff is directed to pay to
10 Defendant \$1,000.00 which the Court finds is a reasonable fee
11 incurred by Defendant in expunging the lis pendens.

12 IT IS SO ORDERED.

13 Dated: September 2, 2010

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16 MORRISON C. ENGLAND, JR.
17 UNITED STATES DISTRICT JUDGE
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