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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

PATRICK OSEI,

NO. CIV. S-09-1981 LKK/JFM

Plaintiff,

v.

COUNTRYWIDE HOME LOANS;
LENDING 1st MORTGAGE;
MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.;
DELTA MORTGAGE & REAL
ESTATE; JEFFREY ALAN
PELLETIER; JEFFREY PAUL
OLSON; JEFF BRYAN DELORA;
and DOES1-20, inclusive,

O R D E R

Defendants.

_____/

Plaintiff in this suit brings numerous claims against various private financial and real estate businesses and three individuals involved with plaintiff's home mortgage. One of these defendants, Countrywide Home Loans, Inc. ("CHL") moved to dismiss all seven claims against it, moved to strike two portions of the complaint, and requested judicial notice of two documents. Three other defendants, Delta Mortgage & Real Estate ("DMRE"), Jeffrey Allen Pelletier ("Pelletier"), and Jeffrey Paul Olson ("Olson") moved to dismiss four of the several claims against them. Pursuant to local

1 rule 78-230(c), plaintiff's oppositions or statements of non-
2 opposition to these motions and request were due by September 14,
3 2009. Plaintiff did not file any oppositions or statements of non-
4 opposition. Instead, plaintiff filed an amended complaint. The
5 amended complaint abandons some of plaintiff's claims against some
6 defendants, and adds some allegations to the repeated nine claims.

7 It appears that many of the arguments raised in the motion to
8 dismiss the initial complaint may also apply to the amended
9 complaint. Nonetheless, the court declines to address this issue
10 without briefing directly on point from either party.

11 Accordingly, the pending motions, Doc. Nos. 7-8, 12, and the
12 pending request for judicial notice, Doc. No. 9, are DENIED WITHOUT
13 PREJUDICE as moot.

14 IT IS SO ORDERED.

15 DATED: September 16, 2009.

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LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT

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