

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

PETER SCHWARTZ and JULIE ) Case No. 2:09-CV-2387-JAM-DAD  
RATHBONE, )  
 )  
 Plaintiffs, )  
 )  
 v. )  
 )  
 CITI MORTGAGE; INDYMAC FEDERAL ) RELATED CASE ORDER  
BANK; FIRST MAGNUS FINANCIAL )  
CORPORATION; QUALITY LOAN )  
SERVICE CORPORATION; MORTGAGE )  
ELECTRONIC REGISTRATION SYSTEMS, )  
INC.; CHARTER FUNDING; JAMES )  
SHERGILL; and DOES 1-20 )  
inclusive,

## Defendants.

PETER SCHWARTZ and JULIE )  
RATHBONE, )  
 )  
 Plaintiffs, ) Case No. 2:10-CV-516-WBS-JFM  
 )  
 v. )  
 INDYMAC FEDERAL BANK; FIRST )  
 MAGNUS FINANCIAL CORPORATION; )  
 QUALITY LOAN SERVICE )  
 CORPORATION; DEUTSCHE BANK )  
 NATIONAL TRUST COMPANY, AS )  
 TRUSTEE OF THE INDYMAC IMSC )  
 MORTGAGE LOAN TRUST 2007-F1,  
 MORTGAGE PASS-THROUGH  
 CERTIFICATES, SERIES 2007-F1  
 UNDER THE POOLING AND SERVICING  
 AGREEMENT DATED MAY 1, 2007 BY  
 ONEWEST BANK FSB AS ATTORNEY IN

1 FACT; CHARTER FUNDING; JAMES  
2 SHERGILL; and DOES 1-20  
2 inclusive,

3 Defendants.

4 PETER SCHWARTZ and JULIE ) Case No. 2:11-CV-1177-KJM-EFB  
5 RATHBONE, )  
5 Plaintiffs, )  
6 )  
7 v. )  
7 )  
8 INDYMAC BANK; DEUTSCHE BANK )  
8 NATIONAL TRUST COMPANY; and Does )  
9 1-20 inclusive, )  
9 )  
10 Defendants. )  
10 )

11 Examination of the above-entitled actions reveals that these  
12 actions are related within the meaning of Local Rule 123 (E.D. Cal.  
13 2005). Accordingly, the assignment of the matters to the same  
14 judge and magistrate judge is likely to affect a substantial  
15 savings of judicial effort and is also likely to be convenient for  
16 the parties.

17 The parties should be aware that relating the cases under  
18 Local Rule 123 merely has the result that these actions are  
19 assigned to the same judge and magistrate judge; no consolidation  
20 of the actions is effected. Under the regular practice of this  
21 court, related cases are generally assigned to the judge and  
22 magistrate judge to whom the first filed action was assigned.

23 IT IS THEREFORE ORDERED that the actions denominated 2:11-CV-  
24 1177-KJM-EFB and 2:10-CV-0516-WBS-JFM be reassigned to Judge John  
25 A. Mendez and Magistrate Judge Dale A. Drozd for all further  
26 proceedings, and any dates currently set in the reassigned cases  
27 only are hereby VACATED. Henceforth, the caption on documents  
28 filed in the reassigned cases shall be shown as 2:11-CV-1177-JAM-

1 DAD and 2:10-CV-0516-JAM-DAD.

2 IT IS FURTHER ORDERED that the Clerk of the Court make  
3 appropriate adjustment in the assignment of civil cases to  
4 compensate for this reassignment.

5 IT IS SO ORDERED.

6 Dated: June 8, 2011.

/s/ John A. Mendez

7 JOHN A. MENDEZ

8 United States District Judge

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