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9 Attorney for Intervenor, U.S. BANK TRUST, N.A., AS
 10 TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST

11 **UNITED STATES DISTRICT COURT**

12 **EASTERN DISTRICT OF CALIFORNIA – SACRAMENTO DIVISION**

13 CARLA M. STERNER,
 14
 15 Plaintiff,

16 vs.

17 HEARTLAND BANK OF CLAYTON;
 18 HSBC MORTGAGE SERVICES, INC.;
 19 HOUSEKEY FINANCIAL
 20 CORPORATION; ARCH HOME LOANS,
 21 INC.; ROSS M. FORRY; and DOES 1-20
 22 inclusive,

23 Defendants

Case No. 2:09-cv-03150-MCE-EFB

Assigned to Hon. Morrison C. England, Jr

**ORDER EXPUNGING NOTICE OF
 PENDENCY OF CLAIM**

24 Plaintiff CARLA M. STERNER's lawsuit against Defendants HSBC MORTGAGE
 25 SERVICES, INC. and HOUSEKEY FINANCIAL CORPORATION was dismissed on April 8,
 26 2010 pursuant to the Court's Order of dismissal for lack of subject matter jurisdiction against
 27 said Defendants. On August 18, 2010, Plaintiff filed a Notice of Voluntary Dismissal as to the
 28 remaining Defendants, and on August 19, 2010, the case was closed.

Pending before the Court are Motions for Leave to Intervene and to Expunge the Notice
 of Pendency of Claim recorded by Plaintiff on November 13, 2009. Plaintiff did not file a
 response to the Motion and, therefore, pursuant to L.R. 230(c), Plaintiff is not entitled to be
 heard in opposition.

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1 Based on the foregoing and the Court's consideration of the record in its entirety, and
2 good cause having been shown, Intervenor U.S. BANK TRUST, N.A., AS TRUSTEE FOR
3 LSF9 MASTER PARTICIPATION TRUST's (hereafter "Intervenor") Motion (ECF No. 20) is
4 GRANTED, and the Court hereby orders as follows:


5 1. Pursuant to Federal Rules of Civil Procedure R. 24(a), Intervenor has a right to
6 intervene in this matter.

7 2. It is further ordered that the Notice of Pendency of Action recorded on November
8 13, 2009 as Document No. 2009-0098238-00 in the Official Records of Placer County,
9 California, attached hereto as Exhibit "1" and relating to the real property located at 681
10 Fruitvale Road, Lincoln, CA 95648, is hereby expunged, canceled and without any legal force or
11 effect whatsoever.

12 3. It is further ordered that Plaintiff CARLA M. STERNER shall reimburse
13 Intervenor in the amount of \$1,600.00 for its attorneys' fees and costs.

14 IT IS SO ORDERED.

15 Dated: June 29, 2017

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18 MORRISON C. ENGLAND, JR.
19 UNITED STATES DISTRICT JUDGE
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