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

IVAN RAVLOV,

Plaintiff,

No. 2:10-cv-00752 WBS KJN PS

v.

ORDER

INDYMAC BANK/ONE WEST BANK;
AZTEC FORECLOSURE CO.; MERS;
and DOES 1 through 250, inclusive,

Defendants.

_____/

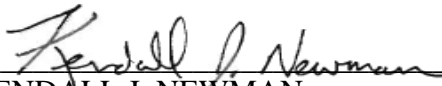
In light of the parties’ stipulation (Dkt. No. 31), which alternatively requests a continuance of the Status (Pretrial Scheduling) Conference (“status conference”) or the advancement of that status conference by one hour, the court will leave the status conference on calendar for September 2, 2010, but will reschedule that status conference to begin at 9:00 a.m., instead of 10:00 a.m.

The court is not inclined to continue the status conference to the date of the hearing on the motion to dismiss filed by certain of the defendants. (Dkt. No. 29.) Because the previous dismissal of the Federal Deposit Insurance Corporation calls into question whether this court has subject matter jurisdiction to hear plaintiff’s claims, it would be more prudent to address jurisdictional questions before addressing a motion to dismiss for failure to state a claim.

1 Accordingly, IT IS HEREBY ORDERED that the Status (Pretrial Scheduling)
2 Conference will remain on calendar for September 2, 2010, but will begin at 9:00 a.m.¹

3 IT IS SO ORDERED.

4 DATED: August 31, 2010

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8 KENDALL J. NEWMAN
9 UNITED STATES MAGISTRATE JUDGE

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26 ¹ The parties' stipulation represents that defendants One West Bank, FSB, and Mortgage Electronic Registration Systems, Inc. have filed a status report. No such filing was reflected on the court's docket at the time that the undersigned executed this order.