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

CAROLINE BIRK,

No. CIV S-10-1039-MCE-CMK

Plaintiff,

vs.

ORDER

GATEWAY FUNDING CORP., et al.,

Defendants.

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Plaintiff, who is proceeding pro se, brings this civil action. The following motions came on for hearing on October 28, 2010, at 10:00 a.m. before the undersigned in Redding, California: (1) motion to dismiss (Doc. 13) filed by defendants Bank of America, Bank of New York, Countrywide Home Loans, Inc., and Recontrust Trust Company; and (2) motion to dismiss (Doc. 19) by defendant Hollencrest Bayview Partners; (3) motion to dismiss (Doc. 20) by defendant Gateway Funding Corp.; and (4) motion to dismiss (Doc. 21) filed by defendant FCI National Lender Services, Inc. Other motions are also pending as follows: (1) motion to dismiss (Doc. 26) filed by defendant Lakewood Ranch Homeowners Association, set for hearing on November 18, 2010; (2) motion to strike (Doc. 32) filed by defendant Robert D. Winston, set for hearing on December 2, 2010; and (3) motion to dismiss (Doc. 34) filed by defendant The Money

1 Brokers, set for hearing on December 2, 2010. One remaining defendant – Royal Crown  
2 Bancorp, Inc., has not yet been served. Also before the court is plaintiff’s motion to continue  
3 (Doc. 35), to which defendants Bank of America, Bank of New York, Countrywide Home Loans,  
4 Inc., and Recontrust Trust Company have filed opposition.

5 For the convenience of the court and parties, the court will grant plaintiff’s request  
6 for a continuance. All of defendants’ motions referenced above are re-set for hearing on  
7 December 1, 2010, at 10:00 a.m. before the undersigned in Redding, California. Plaintiff’s  
8 oppositions to the motions originally set for hearing on October 28th are due on or before  
9 November 5, 2010. All other oppositions are due 14 days before the December 1, 2010, hearing  
10 date. See Local Rule 230(c). Plaintiff is cautioned that failure to file timely oppositions will  
11 have the result that plaintiff will not be able to present any oral argument as to unopposed  
12 motions. See id.

13 IT IS SO ORDERED.

14  
15 DATED: October 29, 2010

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17 **CRAIG M. KELLISON**  
18 UNITED STATES MAGISTRATE JUDGE  
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