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

MARIA CHRISTINA STEIN, aka MARY STEIN,)	2:10-cv-02827-GEB-EFB
)	
Plaintiff,)	
)	
v.)	<u>ORDER VACATING STATUS</u>
)	<u>(PRETRIAL SCHEDULING) ORDER,</u>
)	<u>GRANTING PLAINTIFF'S MOTION</u>
BANK OF AMERICA, N.A., successor)	<u>TO FILE SECOND AMENDED</u>
by merger to Countrywide Bank,)	<u>COMPLAINT, AND SCHEDULING</u>
FSB; MORTGAGE ELECTRONIC)	<u>FURTHER STATUS (PRETRIAL</u>
REGISTRATION SYSTEMS, INC. AKA)	<u>SCHEDULING) CONFERENCE*</u>
"MERS"; DOES 1-20 inclusive,)	
)	
Defendants.)	
)	

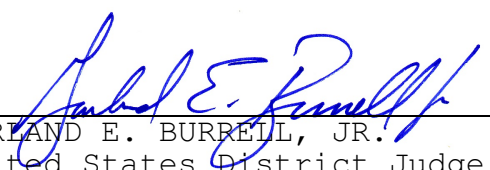
Plaintiff moves for leave to file a Second Amended Complaint under Federal Rule of Civil Procedure ("Rule") 15(a)(2), arguing the proposed amendment "falls well within the liberal standard for freely allowing the amendment of pleadings." (Mot. 5:13-16.) Defendants oppose the motion. Neither party has argued the motion under the good cause standard, and in light of the congested caseload of the undersigned judge, time will not spent explaining this standard. The evident basis for Defendant's arguments opposing the motion, is the scheduling order, the significance of which neither party has shown understanding. Therefore, the scheduling order will be vacated and the motion to amend is GRANTED. Therefore, Plaintiff has five days leave from the date on which this order is filed to file the proposed Second Amended Complaint,

* This matter is deemed suitable for decision without oral argument. E.D. Cal. R. 230(g).

1 which is attached to the Declaration of Richard C. Sinclair. (ECF No.
2 26, Ex. A.)

3 Further, a Status (Pretrial Scheduling) Conference is
4 scheduled to commence at 9:00 a.m. on May 23, 2011. A joint status
5 report shall be filed no later than fourteen (14) days prior to Status
6 Conference.

7 Dated: April 11, 2011

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10 _____
11 GARLAND E. BURRELL, JR.
12 United States District Judge
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