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

CHRISTOPHER D. SCHNEIDER,

Plaintiff,

No. 2:11-cv-2953-LKK-EFB PS

vs.

BANK OF AMERICA, N.A., et al.,

Defendants.

ORDER

On June 8, 2012, this case, in which plaintiff is proceeding *pro se*, was referred to the undersigned after the magistrate judge who was previously assigned to this case issued a recusal order. Dckt. Nos. 82, 83; 28 U.S.C. §§ 455, 636(b)(1); E.D. Cal. L.R. 302(c)(21). Also on June 8, 2012, the previously assigned magistrate judge issued an order granting plaintiff’s motion for an extension of time to file an amended complaint and giving plaintiff thirty days within which to file a second amended complaint that complies with the requirements of the Federal Rules of Civil Procedure and this court’s Local Rules. Dckt. No. 85 at 2.

On June 22, 2012, plaintiff filed objections to the “lack of specificity” in the recusal order and the previously assigned magistrate judge’s issuance of the other June 8, 2012 order. Dckt. No. 87. Plaintiff also requested that the court return any and all of the settlement conference statements that plaintiff submitted pursuant to Local Rule 270(e) or indicate that the

1 statements were previously destroyed. *Id.* at 4.

2 Defendants responded to the objections on June 27, 2012 opposing the request to vacate  
3 the June 8, 2012 orders. Dckt. No. 88. Defendants also requested that, in the event an additional  
4 order issues, plaintiff not be given additional time to file a second amended complaint. *Id.* at 2.

5 Plaintiff's objections are overruled. As stated in the June 8, 2012 order, plaintiff has until  
6 July 11, 2012 to file a second amended complaint that complies with the requirements of the  
7 Federal Rules of Civil Procedure and this court's Local Rules. Any defendant that was named in  
8 plaintiff's amended complaint filed November 28, 2011 and that is named as a defendant in any  
9 second amended complaint shall respond to the second amended complaint within thirty days  
10 after it is filed and served. Additionally, plaintiff's request for return of his settlement  
11 conference statements is denied as moot since all such statements were destroyed by the  
12 previously assigned magistrate judge.

13 SO ORDERED.

14 DATED: July 3, 2012.

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16 EDMUND F. BRENNAN  
17 UNITED STATES MAGISTRATE JUDGE  
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