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 5 MICHAEL GARCIA and  
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 6 SCOTT R. SANDERS  
 JUDITH WHITWORTH

7  
 8 **UNITED STATES DISTRICT COURT**  
 9 **NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO DIVISION**

10 MICHAEL GARCIA, et al.,  
 11 Plaintiffs,

Case No. C 05-5144 MEJ

**STATUS REPORT**

12 v.

13 FIDELITY MORTGAGE COMPANY, et al.  
 14 Defendants.

15 SCOTT R. SANDERS, an individual,  
 16 Plaintiff,

Case No. C 05-4990 MEJ

17 v.

18 FIDELITY MORTGAGE COMPANY, et al.  
 19 Defendants.

21 JUDITH WHITWORTH, an individual,  
 22 Plaintiff,

Case No. C 05-4725 MEJ

23 v.

24 FIDELITY MORTGAGE COMPANY, et al.  
 25 Defendants.

26  
 27 Judgments against Bert Coker dba Fidelity Mortgage Company and Pacific Home Brokers

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1 have been obtained in the Bankruptcy court. The only remaining defendant in this matter is Joel  
2 Atwater whose default was entered on or about July 24, 2006. Plaintiffs will seek to have this  
3 court enter default judgments against him. In this matter Plaintiffs request that this court set a  
4 date for a prove up hearing or alternatively allow the matter to proceed by declarations.  
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6 Respectfully Submitted,

7 Dated: January 5, 2009

LAW OFFICES OF ROBERT F. KANE  
Attorneys for Plaintiffs  
MICHAEL GARCIA, COURTNEY GARCIA  
JUDITH WHITWORTH and SCOTT SANDERS

10 By   
11 ROBERT F. KANE

12 Plaintiffs shall ensure that dismissals have been or will be filed as to all named Defendants  
13 in the above-captioned matters, with the exception of Defendant Joel Atwater. As to Mr.  
14 Atwater, Plaintiffs shall file a motion for default judgment pursuant to Civil Local Rule 7.

15 IT IS SO ORDERED.

16 Dated: January 6, 2009

