

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

ANTHONY J. NUGENT,  
Plaintiff(s),

No. C 09-1180 MEJ

vs.

**ORDER DIRECTING PARTIES TO FILE  
CONSENT/DECLINATION FORM**

GREENPOINT MORTGAGE FUNDING, INC.,  
et al.,  
Defendant(s).

United States District Court  
For the Northern District of California

Pending before the Court is Defendants' Motion to Dismiss. Upon review of the record in this action, the Court notes that the parties have not filed written consents to Magistrate Judge James' jurisdiction. This civil case was randomly assigned to Magistrate Judge James for all purposes including trial. In accordance with Title 28, U.S.C. § 636(c), the magistrate judges of this district court are designated to conduct any and all proceedings in a civil case, including trial and entry of final judgment, upon the consent of the parties. An appeal from a judgment entered by Magistrate Judge James may be taken directly to the United States Court of Appeals for the Ninth Circuit in the same manner as an appeal from any other judgment of a district court.

You have the right to have your case assigned to a United States District Judge for trial and disposition. Accordingly, the parties shall inform the court, by way of the enclosed form, whether they consent to Magistrate Judge James' jurisdiction or request reassignment to a United States District Judge for trial. The parties shall inform the Court of their decision by April 23, 2009.

**IT IS SO ORDERED.**

Dated: March 31, 2009

  
\_\_\_\_\_  
MARIA-ELENA JAMES  
United States Magistrate Judge

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

ANTHONY J. NUGENT,  
Plaintiff(s),

No. C 09-1180 MEJ

**CONSENT TO ASSIGNMENT OR  
REQUEST FOR REASSIGNMENT**

vs.

GREENPOINT MORTGAGE FUNDING,  
INC., et al.,  
Defendant(s).

**CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE**

In accordance with the provisions of 18 U.S.C. § 636(c), the undersigned party hereby consents to have a United States Magistrate Judge conduct any and all further proceedings in this case, including trial, and order the entry of final judgment, and voluntarily waives the right to proceed before a United States District Judge.

Dated: \_\_\_\_\_

Signed by: \_\_\_\_\_

Counsel for: \_\_\_\_\_

**REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE**

The undersigned party hereby declines to consent to the assignment of this case to a United States Magistrate Judge for trial and disposition and hereby requests the reassignment of this case to a United States District Judge.

Dated: \_\_\_\_\_

Signed by: \_\_\_\_\_

Counsel for: \_\_\_\_\_

1 UNITED STATES DISTRICT COURT  
2 FOR THE  
3 NORTHERN DISTRICT OF CALIFORNIA  
4

5 ANTHONY J. NUGENT,  
6 Plaintiff,

Case Number: CV09-01180 MEJ

**CERTIFICATE OF SERVICE**

7 v.

8 GREENPOINT MORTGAGE FUNDING,  
9 INC. et al,  
10 Defendant.

11 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District  
12 Court, Northern District of California.

13 That on March 31, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said  
14 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing  
15 said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery  
16 receptacle located in the Clerk's office.

17 Anthony J. Nugent  
18 6083 Round Hill Drive  
19 Dublin, CA 94568

20 Dated: March 31, 2009

Richard W. Wieking, Clerk  
By: Brenda Tolbert, Deputy Clerk