

United States District Court  
For the Northern District of California

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

SUSAN K. TOOR,  
Plaintiff,  
v.  
FARHAD KHAN, et al.,  
Defendants

No. C-09-2850 MMC

**ORDER CONTINUING HEARING ON  
DEFENDANT ONEWEST BANK'S  
MOTION TO DISMISS; CONTINUING  
CASE MANAGEMENT CONFERENCE**

On November 13, 2009, defendant OneWest Bank, F.S.B. ("OneWest") filed a motion to dismiss plaintiff Susan K. Toor's Second Amended Complaint ("SAC"); by order filed December 23, 2009, the Court set a February 19, 2009 hearing on OneWest's motion. In the interim, on February 12, 2009, defendant MortgageIT, Inc., filed a motion to dismiss the SAC and, additionally, a motion to strike certain portions of the SAC; MortgageIT noticed both motions for hearing on April 2, 2010.

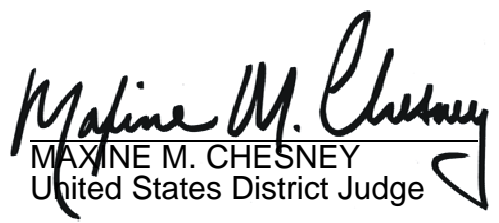
OneWest's motion presents several issues in common with the motions filed by MortgageIT. Accordingly, in the interests of judicial economy, the Court hereby CONTINUES the hearing on OneWest's motion to dismiss from February 19, 2010 to April 2, 2010.

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1 Further, in light of the pendency of the above-referenced motions to dismiss and  
2 motion to strike, the Case Management Conference is hereby CONTINUED from March 26,  
3 2010 to May 7, 2010. A Joint Case Management Statement shall be filed no later than  
4 April 30, 2010.

5 **IT IS SO ORDERED.**

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7 Dated: February 16, 2010

  
MAXINE M. CHESNEY  
United States District Judge

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