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United States District Court
For the Northern District of California

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

JAMES-WILLIAM FROST,
Plaintiff,

No. C 10-02476 WHA

v.

AURORA LOAN SERVICING, LLC and
AURORA BANK FSB,
Defendants.

**ORDER REGARDING
DEADLINE TO FILE MOTION
AND REQUIRED SHOWING OF
RIGHT TO FORECLOSE**

As discussed at the hearing, defendants' motion to set aside default must be filed by **DECEMBER 20, 2010**, and noticed for a hearing on the regular 35-day track. Defense counsel indicated that they may file a motion to dismiss at that time as well. In light of the massive publicity of the widespread abuse by lenders in foreclosure proceedings, such as the use of robo-signers, sloppy preparation of foreclosure documents, and other questionable practices, this order requires defendants to file certain documents in support of their motion(s).


They must file one or more sworn statements authenticating and establishing (i) a copy of the note, tracing of the chain of title between the maker of the note and the party that foreclosed; (ii) a copy of the deed of trust, tracing of the chain of title between the grantor of the deed of trust and the party that foreclosed; (iii) a history of payments made on the account in question and the duration of any delinquencies with a copy of records so establishing; (iv) an explanation of compliance with all notice requirements under state or federal law or contract that were prerequisites to the right to foreclose; (v) the full extent to which California Civil Code Section

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2932.5 was followed; and (vi) a history of all efforts made by the lender to comply with and provide assistance under the Making Home Affordable program created by the American Recovery and Reinvestment Act of 2009.

IT IS SO ORDERED.

Dated: November 19, 2010.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE