

1 **DOLL AMIR & ELEY LLP**
 2 HUNTER R. ELEY (SBN 224321)
 3 1888 Century Park East
 4 Suite 1106
 5 Los Angeles, California 90067
 6 Telephone: (310) 557-9100
 7 Facsimile: (310) 557-9101

8 Attorneys for Defendant
 9 GREENPOINT MORTGAGE FUNDING, INC.

10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**
 12 **SAN FRANCISCO DIVISION**

13 CATHERINE LONDON,

14 Plaintiff,

15 v.

16 AURORA LOAN SERVICES; GREENPOINT
 17 MORTGAGE FUNDING; MORTGAGE
 18 ELECTRONIC REGISTRATION SYSTEMS,
 19 INC. and DOES 1-25,

20 Defendants.

CASE NO. CV 10-02789 EDL

**STIPULATION AND [~~PROPOSED~~] ORDER
 THAT DEFENDANT GREENPOINT
 MORTGAGE FUNDING, INC. JOIN IN
 THE MOTION TO DISMISS PLAINTIFF'S
 CORRECTED FIRST AMENDED
 COMPLAINT FILED BY CO-
 DEFENDANTS**

DOLL AMIR & ELEY LLP
 1888 Century Park East, Suite 1106
 Los Angeles, CA 90067
 (310) 557-9100

DOLL AMIR & ELEY LLP
1888 Century Park East, Suite 1106
Los Angeles, CA 90067
(310) 557-9100

1 Defendants GreenPoint Mortgage Funding, Inc. ("GreenPoint"), Aurora Loan Services
2 ("Aurora"), and Mortgage Electronic Registration Systems, Inc. ("MERS"); and Plaintiff Catherine
3 London (collectively, "the parties") hereby submit this Stipulation and [Proposed] Order as follows:

4 **WHEREAS:**

5 1. On August 9, 2010, defendants Aurora and MERS filed a Motion to Dismiss the
6 Corrected First Amended Complaint ("FAC") filed by plaintiff Catherine London, based on Federal
7 Rule of Civil Procedure 12(b)(6);

8 2. The Motion to Dismiss is scheduled for hearing on September 21, 2010, at 9:00 a.m.;

9 3. The parties agree that the Motion to Dismiss contains legal arguments that apply to
10 GreenPoint as well as to Aurora and MERS;

11 4. The parties agree that it would serve the interest of judicial economy for GreenPoint to
12 join in the pending Motion to Dismiss rather than to file its own Motion raising the same substantive
13 arguments;

14 **NOW, THEREFORE, IT IS HEREBY STIPULATED THAT:**

15 The parties request that GreenPoint join in the Motion to Dismiss the Corrected First Amended
16 Complaint.

17 The Motion will be heard, as noticed, on September 21, 2010, at 9:00 a.m.

18 **IT IS SO STIPULATED.**

19
20
21 Dated: September 3, 2010

DOLL AMIR & ELEY LLP

22
23 By: 
24 Hunter R. Eley
25 Attorneys for Defendant
26 GREENPOINT MORTGAGE FUNDING, INC.
27
28

1 Dated: September 2, 2010

SEVERSON & WERSON

2

A Professional Corporation

3

By: 

4

M. Elizabeth Holt

5

Attorneys for Defendants

6

AURORA LOAN SERVICES and MORTGAGE
ELECTRONIC REGISTRATION SYSTEMS, INC.

7

8 Dated: September 2, 2010

MOSS & MURPHY

9

By: _____
Glen L. Moss

10

Attorneys for Plaintiff
CATHERINE LONDON

11

DOLL AMIR & ELEY LLP
1888 Century Park East, Suite 1106
Los Angeles, CA 90067
(310) 557-9100

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

1 Dated: September 2, 2010

SEVERSON & WERSON

A Professional Corporation

By: _____

M. Elizabeth Holt
Attorneys for Defendants
AURORA LOAN SERVICES and MORTGAGE
ELECTRONIC REGISTRATION SYSTEMS, INC.

7 Dated: September 2, 2010

MOSS & MURPHY

By: *Glen L. Moss*

Glen L. Moss
Attorneys for Plaintiff
CATHERINE LONDON

DOLL AMIR & LILLY LLP
1888 Century Park East, Suite 1106
Los Angeles, CA 90067
310 379 9110

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

1 **[PROPOSED] ORDER**

2 Based upon the parties' stipulation, and good cause appearing, the Court orders as follows:

- 3 1. Defendant GreenPoint Mortgage Funding, Inc., will join as a moving party to the
4 pending Motion to Dismiss the Corrected First Amended Complaint, filed by defendants
5 Aurora Loan Services and Mortgage Electronic Registration Systems, Inc. on August 9,
6 2010.
- 7 2. The Motion to Dismiss will remain calendared for hearing on September 21, 2010, at
8 9:00 a.m.

9
10 **IT IS SO ORDERED.**

11 DATED: 9/15/10
12 _____



13
14 Judge Elizabeth D. LaPorte
15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17
18
19
20
21
22
23
24
25
26
27
28

1 PROOF OF SERVICE

2 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

3 I am employed in the County of Los Angeles, State of California. I am over the age of 18
4 and not a party to the within action; my business address is 1888 Century Park East, Suite 1106,
Los Angeles, CA 90067.

5 On September 3, 2010, I served the foregoing document described as **STIPULATION**
6 **AND [PROPOSED] ORDER THAT DEFENDANT GREENPOINT MORTGAGE**
7 **FUNDING, INC. JOIN IN THE MOTION TO DISMISS PLAINTIFF'S CORRECTED**
8 **FIRST AMENDED COMPLAINT FILED BY CO-DEFENDANTS** on the parties in this action
by serving:

9 SEE ATTACHED SERVICE LIST

10 **By Envelope:** by placing () the original (X) a true copy thereof enclosed in sealed
envelopes addressed as above and delivering such envelopes:

11 **By Mail:** As follows: I am "readily familiar" with this firm's practice of collection and
12 processing correspondence for mailing. Under that practice it would be deposited with the U.S.
13 postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the
14 ordinary course of business. I am aware that on motion of the party served, service is presumed
invalid if postal cancellation date or postage meter date is more than one day after date of deposit
for mailing in affidavit.

15 **By Personal Service:** I personally handed the aforementioned documents to the
addressee(s) named above.

16 **By Facsimile Transmission:** On September 3, 2010, I caused the above-named document
17 to be transmitted by facsimile transmission to the offices of the addressee(s) at the facsimile
number(s) so indicated above. The transmission was reported as complete and without error.

18 **By Electronic Mail:** I scanned and submitted an electronic versions of the document via
19 electronic mail to the attached Service List and confirmed receipt of the e-mail.

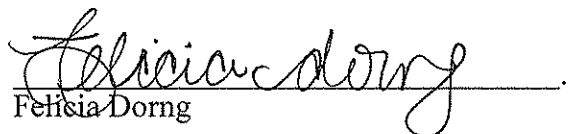
20 **By Federal Express:** I caused the envelope(s) to be delivered to the Federal Express office
for delivery on the next-business-day basis to the offices of the addressee(s).

21 **By Electronic Filing:** I hereby certify that on September 3, 2010, I electronically
22 transmitted the above-named document to the Clerk's Office using the CM/ECF System for filing
and transmittal of a Notice of Electronic Filing to the aforementioned CM/ECF registrants.
23

24 Executed on September 3, 2010 at Los Angeles, California.

25 **FEDERAL** I declare that I am employed in the office of a member of the bar of this court
at whose direction the service was made.

26 **STATE** I declare under penalty of perjury under the laws of the State of California that the
27 above is true and correct.

28 
Felicia Dorng

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

SERVICE LIST

Glenn L. Moss, Esq.
Ann Murphy, Esq.
Moss and Murphy
1297 B Street
Hayward, CA 94541
T: (510) 583-1155
F: (510) 583-1299
*Attorneys for Plaintiff
Catherine London*

Sunny S. Huo, Esq.
M. Elizabeth Holt, Esq.
Severson & Werson
A Professional Corporation
One Embarcadero Center, Suite 2600
San Francisco, CA 94111
T: (415) 398-3344
F: (415) 956-0439
*Attorneys for Defendants Aurora Loan Services
And Mortgage Electronic Registration Systems, Inc.*