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7 **IN THE UNITED STATES DISTRICT COURT**
 8 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

<p>9 Bernard Mitchell, an individual, S. Mitchell, 10 Trustee of the BSM Living Trust 11 Plaintiff, 12 vs. 13 ONEWEST Bank, FSB, Deutsche Bank National 14 Trust Company, Does 1-10 15 Defendants.</p>	<p>Civil Case No C10-04207 JSW ADR [PROPOSED] ORDER ON <i>EX PARTE</i> APPLICATION AND STIPULATION TO RESCHEDULE HEARING DATE.</p>
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16 **ORDER**

17 The Parties submit an *Ex Parte* Application and Stipulation to Reschedule Hearing Date as
 18 to Defendants' Motion to Dismiss now set for February 11, 2011. Said application is based on
 19 the unavailability of Plaintiffs' counsel to prepare a timely opposition due to a health challenge
 20 which requires medical attention and absence from work.

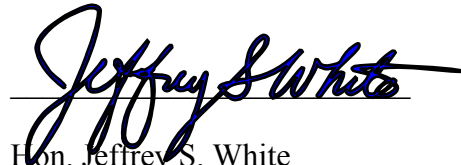
21 **Now Therefore GOOD CAUSING APPEARING**, the *Ex Parte* Application and
 22 Stipulation to Reschedule Hearing is GRANTED. The hearing on Defendants' Motion to
 23 Dismiss now set for February 11, 2011, 9:00 a.m. at 9:00 a.m. in Courtroom 2 is now
 24 rescheduled to:
 25

26 Date: ~~February 25, 2011~~ March 4, 2011
 27 Time: 9:00 a.m.
 28 Courtroom: 2

1 The Parties shall comply with the Civil Local Rules as to the filing of oppositions and reply
2 memorandum based on the above rescheduled hearing date.

3 **IT IS ORDERED.**

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6 Dated: January 24, 2011



Hon. Jeffrey S. White
Judge, United States District Court

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