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

GEORGE RICHARDS,
Plaintiff,

No. C 10-04818 WHA

v.

**SCHEDULING ORDER AND
ORDER TO SHOW CAUSE**

WORLD SAVINGS, WACHOVIA
MORTGAGE, FSB, WELLS FARGO
BANK, N.A., GOLDEN WEST, and
NDEX WEST, L.L.C.,

Defendants.

Subsequent to the reassignment of this action to the undersigned, defendants noticed their motions to dismiss and to strike for a hearing on February 3, 2011. This order advances the hearing on those motions to **DECEMBER 16, 2010, AT 8:00 A.M.**

Furthermore, defendants removed this action based on an assertion of diversity jurisdiction. The notice of removal states that defendant Golden West is a California corporation but was fraudulently joined and thus should be disregarded for purposes of determining the diversity of the parties. It further states: "the facts establish that Golden West has never had any relationship with plaintiff (contractual or otherwise) and took no part in any of the actions of which plaintiff complains." Yet there is nothing in the record to support this claim.

Defendants are therefore ordered to show cause why this action should not be remanded to

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state court, by **NOVEMBER 26, 2010, AT NOON**. Plaintiff may respond as well regarding jurisdiction, by **DECEMBER 2, 2010, AT NOON**.

IT IS SO ORDERED.

Dated: November 15, 2010.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE