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UNITED STATES DISTRICT COURT
Northern District of California

ONEWEST BANK,FSB

No. C 10-04940 MEJ

Plaintiff,

v.

**ORDER DIRECTING DEFENDANT
TO FILE CONSENT/DECLINATION
FORM**

JOSELITO C FABIONAR

Defendant.


_____ /

Pending before the Court is Plaintiff's motion to remand. Upon review of the record in this action, the Court notes that Defendant has not filed a written consent to Magistrate Judge James' jurisdiction. This civil case was randomly assigned to Magistrate Judge James for all purposes including trial. In accordance with 28 U.S.C. § 636(c), the magistrate judges of this district court are designated to conduct any and all proceedings in a civil case, including trial and entry of final judgment, upon the consent of the parties. An appeal from a judgment entered by Magistrate Judge James may be taken directly to the United States Court of Appeals for the Ninth Circuit in the same manner as an appeal from any other judgment of a district court.

You have the right to have your case assigned to a United States District Judge for trial and disposition. Accordingly, Defendant shall inform the Court, by way of the enclosed form, whether he consents to Magistrate Judge James' jurisdiction or requests reassignment to a United States District Judge for trial. The consent/declination form shall be filed by November 30, 2010.

IT IS SO ORDERED.

Dated: November 12, 2010



Maria-Elena Jones
Chief United States Magistrate Judge

UNITED STATES DISTRICT COURT
For the Northern District of California