

REED SMITH LLP

A limited liability partnership formed in the State of Delaware

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6 Attorneys for Defendants  
 Private National Mortgage Acceptance  
 7 Company, LLC and Mortgage Electronic  
 Registration Systems, Inc.  
 8 [Following the Court's entry of the attached  
[Proposed] Order]

9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA

11 JOHN M. CALDWELL, an individual; MARY F.  
 12 CALDWELL, an individual,

No.: 3:10-cv-05306 ~~MEJ~~ TEH

13 Plaintiffs,

14 vs.

**APPLICATION FOR SUBSTITUTION OF  
 COUNSEL ON BEHALF OF PRIVATE  
 NATIONAL MORTGAGE ACCEPTANCE  
 COMPANY, LLC AND MORTGAGE  
 ELECTRONIC REGISTRATION  
 SYSTEMS, INC.; ~~[PROPOSED]~~ ORDER  
 AUTHORIZING SUBSTITUTION OF  
 COUNSEL ON BEHALF OF PRIVATE  
 NATIONAL MORTGAGE ACCEPTANCE  
 COMPANY, LLC AND MORTGAGE  
 ELECTRONIC REGISTRATION  
 SYSTEMS, INC.**

15 NORTHERN PACIFIC MORTGAGE  
 CORPORATION, a California corporation;  
 16 TRACY S. WARNER, an individual; CITIBANK  
 NA, a business entity, form unknown;  
 17 INVESTORS TRUST MORTGAGE  
 INVESTMENT COMPANY, INC., a California  
 18 corporation; FIRST AMERICAN TITLE  
 COMPANY, a California corporation;  
 19 COMMONWEALTH LAND TITLE CO., a  
 California corporation; FIDELITY NATIONAL  
 20 TITLE INSURANCE CO. dba LSI, an Arizona  
 corporation; VERDUGO TRUSTEE SERVICE  
 21 CORPORATION, a California corporation;  
 MORTGAGE ELECTRONIC REGISTRATION  
 22 SYSTEMS, a Delaware corporation;  
 CITIMORTGAGE, INC., New York corporation;  
 23 PRIVATE NATIONAL MORTGAGE  
 ACCEPTANCE COMPANY, LLC, a Delaware  
 24 limited liability company; CR TITLE  
 SERVICES, INC., a Delaware corporation;  
 25 STEWART TITLE OF CA., a California  
 corporation; and DOES 1-100, inclusive,

**Compl. Filed:** November 23, 2010 (removed  
 from Alameda County  
 Superior Court)  
**Trial Date:** Not Yet Set

~~Honorable Maria Elena James~~

26 Defendants.  
 27  
 28

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2  
3 **NOTICE IS HEREBY GIVEN THAT** by way of this Application for Substitution of  
4 Counsel, Defendants Private National Mortgage Acceptance Company, LLC (“PNMAC”) and  
5 Mortgage Electronic Registration Systems, Inc. (“MERS”) seek to substitute the law firm of Reed  
6 Smith LLP as their counsel of record in this action, in place of Pite Duncan, LLP. PNMAC and  
7 MERS respectfully request that the Court authorize this substitution and that Reed Smith LLP be  
8 substituted on the service list as their counsel of record. Subject to the Court’s authorization, the  
9 service list should be updated to provide for service upon PNMAC and MERS by way of Lorenzo  
10 Gasparetti and Karen Braje of Reed Smith, LLP, located at 101 Second Street, Suite 1800, San  
11 Francisco, CA 94105 [(415) 543-8700 (telephone) and (415) 391-8269 (facsimile)].  
12

13 Reed Smith LLP hereby accepts the substitution into this case as described above.

14  
15 DATED: December 13, 2010.

16 REED SMITH LLP

17 By Karen A. Braje  
18 Lorenzo E. Gasparetti  
19 Karen A. Braje

20 Pite Duncan, LLP hereby accepts the substitution out of this case as described above.

21  
22 DATED: December 10, 2010.

23 PITE DUNCAN, LLP

24  
25 By Christopher L. Peterson  
26 Christopher L. Peterson  
27 Cuong M. Nguyen  
28 Attorneys for Defendants  
Private National Mortgage Acceptance Company,  
LLC and Mortgage Electronic Registration  
Systems, Inc.

1 ~~PROPOSED~~ ORDER

2  
3 Defendants Private National Mortgage Acceptance Company, LLC and Mortgage Electronic  
4 Registration Systems, Inc. make this application to substitute as counsel in this action the law firm of  
5 Reed Smith LLP, 101 Second Street, Suite 1800, San Francisco, CA 94105, in place of Pite Duncan,  
6 LLP.

7  
8 Having considered the Application for Substitution of Counsel and finding good cause  
9 therefore, IT IS HEREBY ORDERED that the law firm of Reed Smith LLP is substituted as counsel  
10 for Private National Mortgage Acceptance Company, LLC and Mortgage Electronic Registration  
11 Systems, Inc. in this action. The Court's service list shall be updated to reflect this substitution and  
12 all parties shall update their proofs of service as well.

13  
14 IT IS SO ORDERED.

15 Dated: December 13, 2010.

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