Rubio et al v. BAC Home Loans Servicing, LP et al Doc. 9

UNITED STATES DISTRICT COURT

Northern District of California

ALBERT RUBIO and SHANNON RUBIO,

Plaintiffs,

v.

BAC HOME LOANS SERVICING, LP, et al.,

Defendants.

_____/

No. C 10-5618 MEJ

ORDER DIRECTING PARTIES TO FILE CONSENT/DECLINATION FORM

Pending before the Court is Defendants' motion to dismiss. Upon review of the record in this action, the Court notes that the parties have not filed written consents 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, the parties shall inform the Court whether they consent to Magistrate Judge James' jurisdiction or request reassignment to a United States District Judge for trial. A copy of both the consent and declination forms may be obtained from the Northern District of California's website at http://www.cand.uscourts.gov/. From the homepage, click on the "Forms" tab on the left margin, then choose "Civil." The parties shall inform the Court of their decision by February 3, 2011.

IT IS SO ORDERED.

Dated: January 18, 2011

Maria-Elena James
Chief United States Magistrate Judge

UNITED STATES DISTRICT COURT
For the Northern District of California

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