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****E-filed * 3/15/11***

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

FELIX DECOURT, et al.,

No. C 11-1070 RS

Plaintiffs,

ORDER TO SHOW CAUSE

v.

TECHNOLOGY CREDIT UNION, et al.

Defendants.

_____ /

Plaintiffs initiated this action against Technology Credit Union alleging that it had purchased real property they co-owned with defendant George C. Arrospide, Jr. at a foreclosure sale conducted in violation of an automatic stay arising from Arrospide’s bankruptcy. Federal jurisdiction over plaintiff’s quiet title claim against Technology Credit Union likely existed in view of the fact that it depended on the alleged violation of the bankruptcy stay. *See 40235 Washington Street Corp. v. Lusardi*, 329 F.3d 1076, 1080 (9th Cir. 2003) (“[T]he automatic stay provision, which was raised by [plaintiff] in its complaint, is the only basis on which [plaintiff’s] claim to title could be superior to that of [defendant]. Therefore, there is federal jurisdiction.”) In view of plaintiffs’ voluntary dismissal of Technology Credit Union, however, no apparent basis for federal jurisdiction of their claims against Arrospide remains. Accordingly, within 10 days of the date of this order, plaintiffs shall either dismiss the action or file a brief, not to exceed 5 pages, setting forth

1 the basis on which they contend this Court may and should exercise jurisdiction over their
2 remaining claims.

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4 IT IS SO ORDERED.

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6 Dated: 3/15/11



RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE

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