

United States District Court  
For the Northern District of California

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

DARRELL MCDONALD and FLORA  
MCDONALD,

Plaintiff,

v.

INDYMAC MORTGAGE SERVICES, et al.,

Defendants.

No. C-12-4610 MMC

**ORDER VACATING APRIL 4, 2014,  
HEARING ON DEFENDANTS' MOTION  
TO DISMISS; CONTINUING CASE  
MANAGEMENT CONFERENCE**

Before the Court is defendants OneWest Bank, FSB ("OneWest") and Deutsche Bank National Trust Company's ("Deutsche Bank") Motion to Dismiss Plaintiffs' Third Amended Complaint, filed February 25, 2014, in which defendant NDeX West, LLC ("NDeX") has joined. Plaintiffs Darrell and Flora McDonald have filed opposition to the motion, to which OneWest and Deutsche Bank have replied. Having read and considered the parties' respective written submissions, the Court deems the matter suitable for decision thereon, and VACATES the hearing scheduled for April 4, 2014.

Further, in light of the pending motion to dismiss, the Case Management Conference currently set for April 11, 2014, is hereby CONTINUED to May 30, 2014. The

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1 parties shall file a Joint Case Management Statement by May 23, 2014.

2 **IT IS SO ORDERED.**

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4 Dated: April 1, 2014

  
MAXINE M. CHESNEY  
United States District Judge

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