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

ANTHONY HALDER and ARPA
HALDER, individually and as trustees of the
2012 Halder Family Trust Dated February
29, 2012,

Plaintiffs,

v.

PENNY MAC LOAN SERVICES, LLC;
OLD REPUBLIC TITLE COMPANY; OLD
REPUBLIC DEFAULT MANAGEMENT
SERVICES, a division of OLD REPUBLIC
DIVERSIFIED SERVICES, INC.; OLD
REPUBLIC NATIONAL TITLE
INSURANCE COMPANY; MORTGATGE
ELECTRONIC REGISTRATION
SYSTEMS, INC.; CITIMORTGAGE, INC.
and DOES 1-100, inclusive,

Defendants.

No. C 12-05757 RS

**ORDER DISMISSING CASE WITH
PREJUDICE**

Plaintiffs Anthony and Arpa Halder filed a complaint advancing a variety of state law claims as well as violations of the Truth In Lending Act (TILA), 15 U.S.C. § 1601, and Racketeer Influenced and Corrupt Organizations (RICO) violations under 18 U.S.C. § 1962. The Halders sought to stop the foreclosure of their home and obtain legal title, and possession of it, from defendants on the basis that they lack the power to foreclose as the deeds of trust recorded on their property are defective. Represented by counsel, they sued a variety of the organizations that were

No. C 12-05757 RS
ORDER

1 involved in issuing the mortgage on their home, including Mortgage Electronic Registration
2 Systems, Inc. (MERS), the original beneficiary of the deed of trust executed when they took out the
3 mortgage in question, PennyMac Loan Services, LLC (PLS), who serviced the loan on behalf of
4 non-party PennyMac (to whom MERS purportedly assigned the deed of trust), Old Republic Title
5 Company, the trustee of the original deed of trust, and Old Republic Default Management Services
6 (Old Republic), the division of Old Republic Title Company that recorded the notice of default on
7 their home. MERS and Penny Mac jointly moved to dismiss the complaint, as did Old Republic
8 Default Management Services.

9 The motion to dismiss was granted without prejudice and the Holders were informed that
10 failure to file an amended complaint on or before April 29, 2013, would result in their case being
11 dismissed without further notice. No such complaint having been filed, it hereby is.

12 IT IS SO ORDERED.

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14 Dated: 5/6/13

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16 RICHARD SEEBORG
17 UNITED STATES DISTRICT JUDGE
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