

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

RICKY PITRE AND LORRAINE PITRE,
Plaintiffs,

No. C 12-06419 WHA

v.

**ORDER RE REQUEST FOR ORDER
OF NOTICE OF LIS PENDENS**

WELLS FARGO BANK, N.A.; ASC
(AMERICA’S SERVICING COMPANY);
NDEX WEST LLC; and NORTHWEST
TRUSTEE SERVICES;
Defendants.

Pro se plaintiffs Ricky and Lorraine Pitre have filed a document titled “Lis pendens notice,” requesting a signature from the undersigned judge. According to the statute, California Code of Civil Procedure Section 405, *et seq.*, “a party to an action who asserts a real property claim may record a notice of pendency of action in which that real property claim is alleged. The notice may be recorded in the office of the recorder of each county in which all or part of the real property is situated.” Cal. Code Civ. Proc. § 405.20. The notice must contain the names of all parties to the action and a description of the property affected by the action. Where a party is proceeding pro se, “a judge of the court in which an action that includes a real property claim is pending may, upon request of a party thereto, approve a notice of pendency of action.” Cal. Code Civ. Proc. § 405.21. Plaintiffs must comply with the requirements of the statute, including stating the names of all parties to the action on the notice, and (2) “caus[ing] a copy of the notice to be mailed, by registered or certified mail, return receipt requested, to all known addresses of the parties to whom the real property claim is adverse and to all owners of record of the real

United States District Court
For the Northern District of California

1 property affected by the real property claim as shown by the latest county assessment roll.” Cal.
2 Code Civ. Proc. § 405.22.

3 Plaintiffs’ proposed notice does not include all defendants named in this lawsuit, which
4 would appear to include Wells Fargo Bank, N.A., ASC (America’s Servicing Company), NDEX
5 West LLC, and Northwest Trustee Services. Plaintiffs shall file a revised notice on the public
6 docket.

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IT IS SO ORDERED.

Dated: January 22, 2013.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE