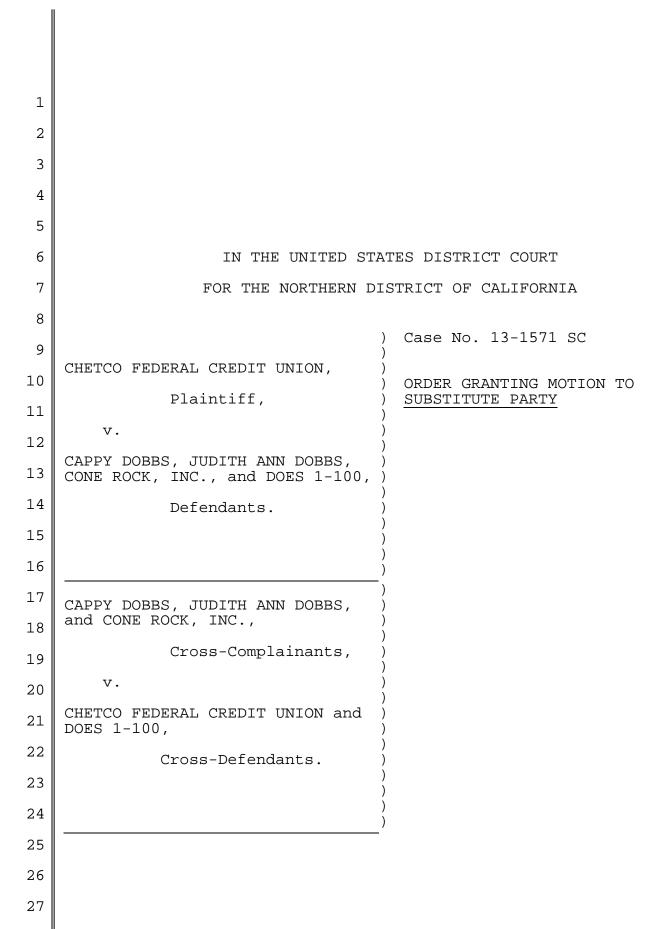
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Plaintiff Chetco Federal Credit Union ("Plaintiff"), a federally chartered and insured credit union, filed a complaint for judicial foreclosure against the above-captioned Defendants ("Defendants") on July 6, 2012. On July 9, 2012, Defendants filed an answer and cross-complaint against Plaintiff, amending that complaint on September 12, 2012, to allege that Plaintiff improperly used proceeds from a Certificate of Deposit to set off loan delinquencies.

Non-party National Credit Union Administration (the "NCUA") is an independent agency of the federal executive branch, charged with regulating federally chartered and insured credit unions like Plaintiff. ECF No. 23 ("Mot. to Sub.") at 2. It placed Plaintiff into involuntary liquidation on December 31, 2012, and appointed itself Liquidating Agent, in which capacity it succeeded by operation of law to all right, title, and interest in and to Plaintiff as a credit union. See id. at 2 & Ex. A ("Notice of Liquidation"); see also 12 U.S.C. § 1787(b)(2)(A)(i) (stating that the NCUA, as Liquidating Agent, succeeds to all right, title, and interest in and to credit unions that the NCUA has closed for liquidation). The federal statute governing federal credit unions gives the NCUA, as Liquidating Agent, the power to sue and be sued. 12 U.S.C. § 1789(a)(2). The NCUA now moves to substitute itself as a party in this case, in Plaintiff's stead.

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Under Federal Rule of Civil Procedure 25(c), the Court finds that Plaintiff's interests have been transferred to the NCUA, which acts as Plaintiff's Liquidating Agent, and that the NCUA shall be substituted as the plaintiff and counter-defendant in this case.

IT IS SO ORDERED.

Dated: October 17, 2013



UNITED STATES DISTRICT JUDGE