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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

THE BANK OF NEW YORK MELLON
(f/k/a The Bank of New York), *et al.*

Plaintiffs,

v.

CITY OF RICHMOND, CALIFORNIA, a
municipality; RICHMOND CITY COUNCIL;
MORTGAGE RESOLUTION PARTNERS
L.L.C., a Delaware limited liability company;
and GORDIAN SWORD LLC, a Delaware
limited liability company,

Defendants.

Case No. 13-cv-3664-CRB

**[PROPOSED] ORDER DENYING
DEFENDANTS' MOTION TO DISMISS**

Date: November 1, 2013
Time: 10:00 a.m.
Ctrm: 6, 17th Floor
Judge: Honorable Charles R. Breyer

Before the Court is Defendants' Motion to Dismiss (dkt. 29). Upon consideration of the papers and argument by counsel, the Court finds that Plaintiffs' claims are ripe for adjudication. Accordingly, the Court DENIES Defendants' Motion to Dismiss.

IT IS SO ORDERED.

Dated: November ____, 2013

CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE