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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JANE BIN YU,
Plaintiff,
v.
AMERICA’S WHOLESALE LENDER, et
al.,
Defendants.

Case No. [16-cv-01545-JSC](#)

**ORDER RE: THIRD PARTY MAY
FONG’S MOTION TO
INTERVENE AND TO EXPUNGE
NOTICE OF PENDING ACTION
(LIS PENDENS)**

Re: Dkt. No. 12

Plaintiff Jane Bin Yu (“Plaintiff”), proceeding pro se, filed this action against Defendant America’s Wholesale Lender seeking declaratory relief to quiet title for residential property located at 1462 Michigan Avenue, Alviso, California 95002 (“Michigan Avenue Property”). (Dkt. No. 1.) On March 29, 2016, pursuant to 28 U.S.C. § 1964 and California Civil Code § 761.010, Judge Grewal issued a notice of *lis pendens* for the Michigan Avenue Property. (Dkt. No. 5.)

On June 28, 2016, Third Party May Fong (“Fong”) moved to intervene in this case on the grounds that she, along with Grant Wai Fong and Ellen Gee, purchased the Michigan Avenue Property for value on June 13, 2016 from Bank of America. (Dkt. No. 12.) Fong also moved to expunge the notice of pending action (*lis pendens*), for attorneys’ fees, and to declare Plaintiff a vexatious litigant. (*Id.*) Pursuant to Local Rule 7-3, Plaintiff’s response to Fong’s motion was due on July 12, 2016. To date, Plaintiff has not filed an opposition.

Accordingly, the Court resets the briefing and hearing schedule on Fong’s motion to intervene as follows:

- Deadline for Plaintiff’s opposition brief: August 18, 2016
- Deadline for Fong’s reply brief: August 25, 2016
- Hearing on Fong’s motion to intervene: September 8, 2016 at 9:00 a.m.

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Plaintiff is warned that failure to submit an opposition brief may result in the waiver of any arguments against, or objections that she has to, Fong’s motion.

The case management conference scheduled for September 8, 2016 shall commence at 9:00 a.m. and the joint case management conference statement shall be filed seven days prior to the conference.

As Plaintiff is proceeding pro se, the Court encourages her to seek free assistance from the Northern District’s Pro Se Help Desk, United States Courthouse, San Francisco, 450 Golden Gate Avenue, 15th Floor, Room 2796, San Francisco, CA 94102, or the Help Desk at the Oakland Federal Courthouse, 1301 Clay Street, 4th Floor, Room 470S, Oakland, CA 94612. Plaintiff can make an appointment in person or by calling 415-782-8982.

The Clerk shall mail a copy of this Order to Plaintiff at P.O. Box 82, Alviso, California, 95002.

IT IS SO ORDERED.

Dated: August 5, 2016


JACQUELINE SCOTT CORLEY
United States Magistrate Judge

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CERTIFICATE OF SERVICE

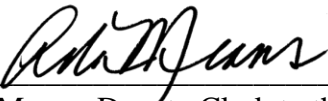
I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on August 5, 2016, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Jane Bin Yu
P. O. Box 82
Alviso, CA 95002

Dated: August 5, 2016

Susan Y. Soong
Clerk, United States District Court

By: 
Ada Means, Deputy Clerk to the
Honorable JACQUELINE SCOTT CORLEY