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

ANNA ZBITNOFF,

No. C 16-04237 WHA

Plaintiff,

v.

**ORDER SETTING HEARING  
AND BRIEFING SCHEDULE ON  
MOTION TO DISMISS AND  
CONTINUING CASE  
MANAGEMENT CONFERENCE**

NATIONSTAR DEED OF TRUST , LLC,  
CITIBANK, N.A. AS TRUSTEE FOR  
LEHMAN XS TRUST 2006-5, DOES 1  
THROUGH 100, INCLUSIVE,

Defendants.

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On August 12, 2016, defendants filed a motion to dismiss (Dkt. No. 32). Plaintiff subsequently sought leave to file an amended complaint, which the Court allowed. On September 26, 2016, plaintiff filed an amended complaint (Dkt. No. 41). Defendants have stated their preference to proceed with the pending motion to dismiss and address the amended complaint in their reply. This order sets the following briefing schedule. Plaintiff shall respond to defendants' motion to dismiss **BY OCTOBER 18, 2016**. Defendants shall file a reply brief **BY OCTOBER 25, 2016**. Plaintiff may file a surreply of no more than 15 pages by **NOVEMBER 3, 2016**. The surreply may only respond to new issues raised in the reply for the first time. A hearing on the motion to dismiss shall take place on **NOVEMBER 10, 2016, AT 8:00 A.M.** in Courtroom 8 on the 19th Floor.

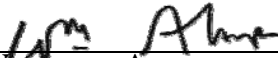
The case management conference is continued until **NOVEMBER 10, 2016, AT 8:00 A.M.**

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in Courtroom 8 on the 19th Floor. A joint case management statement is due **BY NOVEMBER 3, 2016.**

**IT IS SO ORDERED.**

Dated: October 4, 2016.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE