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United States District Court  
For the Northern District of California

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

MITCHELL E. BOUYER, et al.,

No. C 08-5583 MEJ

Plaintiff(s),

vs.

**ORDER DIRECTING PLAINTIFFS TO  
FILE CONSENT/DECLINATION FORM**

COUNTRYWIDE BANK,

Defendant(s).

Pending before the Court is Defendant's Motion to Dismiss. Upon review of the record in this action, the Court notes that Plaintiffs have not filed a written consent to Magistrate Judge James' jurisdiction or a request for reassignment to a United States District Court judge for trial. This civil case was randomly assigned to United States Magistrate Judge Maria-Elena James for all purposes including trial. In accordance with Title 28, U.S.C. § 636(c), the magistrate judges of this District Court are designated to conduct any and all proceedings in a civil case, including a jury or non-jury trial, and to order the entry of final judgment, upon the consent of the parties. An appeal from a judgment entered by Magistrate Judge James may be taken directly to the United States Court of Appeals for the Ninth Circuit in the same manner as an appeal from any other judgment of a district court.

You have the right to have your case assigned to a United States District Judge for trial and

1 disposition. Accordingly, Plaintiffs shall inform the Court, by way of the enclosed form, whether  
2 they consents to Magistrate Judge James' jurisdiction or request reassignment to a United States  
3 District Judge for trial. The consent/declination form shall be filed as soon as possible, but no later  
4 than February 6, 2009.

5 **IT IS SO ORDERED.**

6  
7 Dated: January 22, 2009

  
8 MARIA-ELENA JAMES  
9 United States Magistrate Judge

1 UNITED STATES DISTRICT COURT  
2 FOR THE  
3 NORTHERN DISTRICT OF CALIFORNIA

4 MITCHELL E. BOUYER SR et al,

Case Number: CV08-05583 MEJ

5 Plaintiff,

**CERTIFICATE OF SERVICE**

6 v.

7 COUNTRYWIDE BANK et al,

8 Defendant.  
9 \_\_\_\_\_/

10  
11 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District  
12 Court, Northern District of California.

13 That on January 22, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said  
14 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said  
15 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located  
16 in the Clerk's office.

17 Martha E. Bouyer  
18 Mitchell E. Bouyer  
19 P.O. Box 138  
Brisbane, CA 94005

20 Dated: January 22, 2009

21 Richard W. Wieking, Clerk  
22 By: Brenda Tolbert, Deputy Clerk  
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