

1 JOSE VERA) CASE NO.: CV 09-03626-CW
2)
3 Plaintiff,) Hon. Claudia Wilken
4)
5 vs.)
6) **STIPULATION AND ORDER FOR**
7) **PLAINTIFF TO FILE**
8) **A SECOND AMENDED COMPLAINT AS**
9) **MODIFIED**
10)
11 AURORA LOAN SERVICES LLC;)
12 CAL-WESTERN RECONVEYANCE)
13 CORPORATION;)
14 DEUTSCHE BANK TRUST COMPANY)
15 AMERICAS, IN TRUST FOR, RESIDENTIAL)
16 ACCREDIT LOANS, INC. MORTGAGE)
17 ASSET-BACKED PASS-THROUGH)
18 CERTIFICATES, SERIES 2005-QO4;)
19 MORTGAGE ELECTRONIC REGISTRATION)
20 SYSTEMS, INC.;)
21 HOMECOMINGS FINANCIAL, LLC, a)
22 business organization, form unknown;)
23 HOMECOMINGS FINANCIAL NETWORK,)
24 INC., a business organization, form unknown;)
25 TRIMERICA MORTGAGE CORPORATION, a)
26 business organization, form unknown; AND)
27 DOES 1 – 100 INCLUSIVE,)
28 Defendants.)

ORDER

Pursuant to the stipulation of the parties and good cause appearing therefore,

1. Plaintiff shall file a Second Amended Complaint on or before November 23, 2009, or risk dismissal for failure to prosecute.
2. Plaintiff’s filing of a Second Amended Complaint on or before November 23, 2009 shall render all currently pending motions to dismiss and/or to strike, moot.

Any responsive pleading, motion to dismiss, or motion to strike Plaintiff’s proposed Second Amended Complaint or portions thereof shall be due within 23 days of the filing of the Second Amended Complaint.

1 **IT IS SO ORDERED. THE CASE MANAGEMENT CONFERENCE IS**
2 **CONTINUED TO 4/20/10 AT 2:00 P.M.**

3 11/18/09

4 Dated: _____



5 Hon. Claudia Wilken

6 United States District Court Judge

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