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3 UNITED STATES DISTRICT COURT
4 FOR THE NORTHERN DISTRICT OF CALIFORNIA
5 OAKLAND DIVISION

6 PETER AND STEPHANIE NEWSON,

7 Plaintiffs,

8 vs.

9 COUNTRYWIDE HOME LOANS, INC.
10 DBA AMERICA'S WHOLESALE LENDER,
11 MORTGAGE ELECTRONIC
12 REGISTRATIONS SYSTEMS, INC.,
13 BANKERS ALLIANCE INC., JULIE
14 WHITESIDE, and DOES 1-20, inclusive,

15 Defendants.

Case No: C 09-5288 SBA

**ORDER GRANTING PLAINTIFFS'
UNOPPOSED MOTION FOR
LEAVE TO FILE FOURTH
AMENDED COMPLAINT**

Docket 54

16 Good cause appearing,

17 IT IS HEREBY ORDERED THAT:

18 1. Plaintiffs' unopposed motion for leave to file a Fourth Amended Complaint is
19 GRANTED, subject to the conditions upon which the parties have agreed. See Docket 57.

20 2. Plaintiffs shall file their Fourth Amended Complaint by no later than August
21 30, 2010.

22 3. Defendants shall file a motion to dismiss or responsive pleading by no later
23 than September 13, 2010.

24 4. If Defendants file a motion to dismiss, Plaintiffs shall file their response by
25 September 27, 2010, and Defendants shall file their reply by October 4, 2010. The motion
26 and opposition shall not exceed fifteen pages, and the reply shall not exceed ten pages. The
27 hearing on the motion shall take place on **October 26, 2010 at 1:00 p.m.** The Court may
28 resolve the motion without oral argument. The parties are advised to check the Court's
website to determine whether an appearance is required.

1 5. The Case Management Conference previously scheduled for September 30,
2 2010, is CONTINUED to October 26, 2010, and shall follow the hearing on the motion to
3 dismiss. The parties shall meet and confer prior to the conference and shall prepare a joint
4 Case Management Conference Statement which shall be filed no later than five (5) days
5 prior to the Case Management Conference. The statement shall comply with the Standing
6 Order for All Judges of the Northern District of California and the Standing Order of this
7 Court. Plaintiffs shall be responsible for filing the statement.

8 6. The hearing scheduled for October 19, 2010, for Plaintiffs' motion for leave
9 to amend is VACATED.

10 7. This Order terminates Docket 54.

11 IT IS SO ORDERED.

12 Dated: August 24, 2010


SAUNDRA BROWN ARMSTRONG
United States District Judge

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