

United States District Court
For the Northern District of California

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

CLARISSA CORTEZ,
Plaintiff,

v.

NEW CENTURY MORTGAGE CORP., et al.,
Defendants.

No. C-10-04631-DMR


**ORDER VACATING HEARING ON
DEFENDANT’S MOTION TO DISMISS
PENDING CONSENT TO
JURISDICTION OF MAGISTRATE
JUDGE**

On October 21, 2010, Defendant Saxon Mortgage Services, Inc. (“Saxon”), filed a Motion to Dismiss for Failure to State a Claim or, in the Alternative, for a More Definite Statement and/or to Strike Portions of the Complaint (“Motion to Dismiss”), pursuant to Federal Rule of Civil Procedure 12. *See* Docket No. 6. Defendant Saxon noticed a hearing on the Motion to Dismiss for December 2, 2010 at 11:00 a.m.

Pursuant to 28 U.S.C. § 636(c), a signed consent to the jurisdiction of the Magistrate Judge must be filed by each party before consideration of any dispositive motion. All parties in the above-captioned case have not filed a signed consent to proceed before a Magistrate Judge. Accordingly, the hearing on Defendant Saxon’s Motion to Dismiss set for December 2, 2010 at 11:00 a.m. is hereby VACATED. Upon the filing of signed consents by all parties to the action, the Court will issue an order resetting the hearing. If a declination is filed, the case will be immediately reassigned to an Article III District Judge.

IT IS SO ORDERED.

Dated: October 22, 2010



DONNA M. RYU
United States Magistrate Judge