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United States District Court
For the Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JAMES W. JAMES,

No. C-10-05407 (DMR)

Plaintiff,

**ORDER VACATING HEARING ON
DEFENDANTS' MOTION TO DISMISS
PENDING CONSENT TO
JURISDICTION OF MAGISTRATE
JUDGE**

v.

LITTON LOAN SERVICING LP, et al.,

Defendants.

On December 14, 2010, Defendants Litton Loan Servicing, LP, and Bank of America, filed a Motion to Dismiss and to Strike the Punitive Damage Allegations of Second Amended Complaint ("Motion to Dismiss"), pursuant to Federal Rule of Civil Procedure 12. See Docket No. 5. Defendants noticed a hearing on the Motion to Dismiss for February 10, 2011 at 11:00 a.m.

Pursuant to 28 U.S.C. § 636, 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 Defendants' Motion to Dismiss set for February 10, 2011, 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: December 17, 2010



DONNA M. RYU
United States Magistrate Judge