

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

MATIU K. FA and TOLIFILI FA,

No. C 11-4024 CW

Plaintiff,

ORDER REGARDING  
PLAINTIFFS'

v.

OPPOSITION TO  
DEFENDANTS' MOTION  
TO DISMISS

DEUTSCHE BANK NATIONAL TRUST  
COMPANY, as trustee for LONG  
BEACH MORTGAGE LOAN TRUST 2006-8  
ASSET-BACKED CERTIFICATES, SERIES  
2006-8; JPMORGAN CHASE BANK  
NATIONAL ASSOCIATION, successor  
in interest to WASHINGTON MUTUAL  
BANK; ALL PERSONS CLAIMING BY,  
THROUGH, OR UNDER SUCH PERSON, OR  
PERSONS, ALL PERSONS UNKNOWN,  
CLAIMING ANY LEGAL OR EQUITABLE  
RIGHT, TITLE, ESTATE, LIEN, OR  
INTEREST IN REAL PROPERTY  
DESCRIBED IN THIS COMPLAINT AS  
"1635 WOLFE DRIVE SAN MATEO, CA  
94402," ADVERSE TO THE  
PLAINTIFFS' TITLE THERETO, OR ANY  
CLOUD ON PLAINTIFFS' TITLE  
THERETO and DOES 1 THROUGH 100,  
INCLUSIVE,

Defendants.

On August 24, 2011, Defendants Deutsche Bank National Trust  
Company, as trustee for Long Beach Mortgage Loan Trust 2006-8  
Asset-Backed Certificates, Series 2006-8, and JPMorgan Chase Bank,  
N.A. moved to dismiss Plaintiffs' complaint, pursuant to Federal  
Rule of Civil Procedure 12(b)(6). After this case was reassigned  
to the undersigned, Defendants renoticed the motion to dismiss for  
hearing on October 20, 2011. Plaintiffs have not opposed the  
motion. Civil Local Rule 7-3 requires the filing of an opposition  
to a motion not more than fourteen days after the motion is filed

United States District Court  
For the Northern District of California

1 and served. The parties are scheduled for an ADR phone conference  
2 on October 11, 2011. In the event that the parties do not reach a  
3 settlement at the ADR phone conference, Plaintiffs shall file  
4 their opposition to the motion to dismiss on or before October 25,  
5 2011, or face dismissal of their complaint for failure to  
6 prosecute. Defendants may reply seven days thereafter. The  
7 motion will be decided on the papers. The October 20, 2011  
8 hearing is vacated. The parties are to appear for a Case  
9 Management Conference on December 6, 2011. A joint case  
10 management statement is due seven days prior to the Case  
11 Management Conference.

12 IT IS SO ORDERED.



14 Dated: 10/5/2011

---

CLAUDIA WILKEN  
United States District Judge