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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PEPI SCHAFLER,

Plaintiff,

No. C 14-1879 PJH

v.

ORDER

BANK OF AMERICA MERRILL LYNCH,

Defendant.

_____ /

Plaintiff Pepi Schafler filed the above-entitled action on April 23, 2014. After she declined to consent to the jurisdiction of the Magistrate Judge to whom the case was originally assigned, the case was randomly reassigned to the undersigned District Judge on May 28, 2014.

Unhappy with this reassignment, plaintiff first filed a "motion to change judicial assignment," and then filed a motion for recusal. The court denied the motion for recusal on June 26, 2014. On July 1, 2014, defendant filed a motion to dismiss. On July 7, 2014, plaintiff filed a motion for reconsideration of the order denying the motion for recusal. The court denied that motion on July 9, 2014.

On July 11, 2014, plaintiff filed an opposition to the motion to dismiss. On July 18, 2014, plaintiff filed a motion for change of venue, seeking an order transferring the case to the Southern District of New York, pursuant to 28 U.S.C. § 1404(a). On July 22, 2014, defendant filed a reply in support of the motion to dismiss, noting that plaintiff's opposition failed to respond to any of the substantive arguments made by defendant. Defendant's opposition to the motion for change of venue is due on August 1, 2014.

United States District Court
For the Northern District of California

1 The court is in receipt of two documents filed by plaintiff on July 21, 2014, and July
2 24, 2014 (Docs. 24 and 26), in which she asserts that she has "cut any connection to this
3 court for any and all purposes and proceedings, and awaits the change of venue;" and that
4 this case "has ended its life in this court" and that if the motion for change of venue is not
5 granted, "there will be the next step of permanent removal from this court."

6 The court will consider and rule on the motion for change of venue in due course,
7 and if necessary, on the motion to dismiss. If, as it appears from the above-cited
8 statements, it is plaintiff's intent to dismiss this action, she should file a notice of voluntary
9 dismissal pursuant to Federal Rule of Civil Procedure 41(a), and the clerk will close the
10 case. Otherwise, the court is obligated to rule on the pending motions in an orderly
11 fashion.

12
13 **IT IS SO ORDERED.**

14 Dated: July 25, 2014



PHYLLIS J. HAMILTON
United States District Judge