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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

JPMORGAN CHASE BANK NA,

Plaintiff,

No. C 15-00536 JSW

v.

OREGON PARK SENIOR APARTMENTS
COOPERATIVE, et al.,

Defendants.

**ORDER RE MOTION TO
VALIDATE ELECTION
AND INSTRUCTIONS TO OPSA
DEFENDANTS**

Now before the Court is a motion styled “motion for hearing in opposition to application for appointment of temporary receiver and validate [sic] March 28, 2015 election of board of directors,” brought by Defendants Juanita Edington, Kevin Wiggins, Dale Anders, William Tiller,¹ and Kenneth AKA Aja Feseah Jackson (“the Pro Se Defendants”). On March 25, 2015, the Court issued an Order related to Defendants’ Oregon Park Senior Apartments Cooperative, Douglas Butler, and Andre Nibbs (“the OPSA Defendants”) motion to appoint a receiver. In that Order, the Court ordered the parties to meet and confer regarding the identity of any receiver, and to submit a mutually agreeable suggestion to the Court by no later than April 3, 2015.

By this motion, the Pro Se Defendants ask the Court to validate the election of a new Board of Directors on March 28, 2015. Given that the proposed election date has passed, there is no factual basis on which the Court could grant this motion. Moreover, the Pro Se

¹On March 18, 2015, Plaintiff filed a notice of voluntary dismissal without prejudice of Defendant William Tiller.

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Defendants provide no legal basis on which the Court could enter an order in this matter.

Accordingly, the motion is DENIED.

However, the Court reminds both groups of Defendants that they are still ORDERED to meet and confer regarding the identity of a neutral receiver. If the parties can agree upon such a person, they are ORDERED to submit a proposed order to that effect by no later than April 3, 2015, as stated in the prior Order. The Court further clarifies that, if the parties are unable to reach agreement, they must file a document to that effect with the Court by no later than April 3, 2015. Because the Pro Se Defendants are not e-filers the OPSA Defendants are ORDERED to serve this Order on the Pro Se Defendants by hand, and file a proof of service with the Court.

IT IS SO ORDERED.

Dated: March 31, 2015



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE