

Locke Lord Bissell & Liddell LLP
300 South Grand Avenue, Eighth Floor
Los Angeles, CA 90071-3119

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

LOCKE LORD BISSELL & LIDDELL LLP
Thomas J. Cunningham (SBN: 263729)
tcunningham@lockelord.com
Nina Huerta (SBN: 229070)
nhuerta@lockelord.com
300 South Grand Avenue, Suite 2600
Los Angeles, California 90071
Telephone: 213-485-1500
Facsimile: 213-485-1200

E-Filed 7/6/2009

P. Russell Perdew (*pro hac vice*)
pperdew@lockelord.com
J. Matthew Goodin (*pro hac vice*)
mgoodin@lockelord.com
111 South Wacker Drive
Chicago, Illinois 60606
Telephone: 312-443-0472
Facsimile: 312-896-6472

Attorneys for Defendants GMAC MORTGAGE, LLC
and WELLS FARGO BANK, N.A., AS TRUSTEE OF THE
HARBORVIEW MORTGAGE LOAN TRUST 2006-10

**Additional parties and counsel listed on stipulation*

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

MARJORIE BROOKS, individually and on
behalf of herself and all others similarly
situated,

Plaintiffs,

v.

COMUNITY LENDING, INC., RBS
FINANCIAL PRODUCTS, INC., f/k/a
GREENWICH CAPITAL FINANCIAL
PRODUCTS, INC., GREENWICH CAPITAL
ACCEPTANCE, INC., GMAC MORTGAGE,
LLC, WELLS FARGO BANK, N.A., AS
TRUSTEE OF THE HARBORVIEW
MORTGAGE LOAN TRUST 2006-10 and
DOES 5 through 10, inclusive,

Defendants.

CASE NO. C-07-04501-JF

Hon. Jeremy Fogel

**~~PROPOSED~~ ORDER APPROVING
STIPULATION AND SETTING
BRIEFING SCHEDULE AND HEARING
DATE ON DEFENDANTS’ MOTIONS TO
DISMISS FIFTH AMENDED
COMPLAINT**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Having read and considered the Stipulation to Set Briefing Schedule and Hearing Date on Defendants' Motions to Dismiss Fifth Amended Complaint ("FAC"), executed by and between Plaintiff Marjorie Brooks ("Plaintiff") and Defendants GMAC Mortgage, LLC, Wells Fargo Bank, N.A., as Trustee of the HarborView Mortgage Loan Trust 2006-10, RBS Financial Products, Inc. (f/k/a Greenwich Capital Financial Products, Inc.) and Greenwich Capital Acceptance, Inc. (collectively, "Defendants"), and good cause appearing therefore,

IT IS HEREBY ORDERED that:

- (1) Defendants shall file their motions to dismiss the FAC on or by July 31, 2009;
- (2) Plaintiff shall file her responses to Defendants' motions on or by August 28, 2009;
- (3) Defendants shall file their replies on or by September 11, 2009; and
- (4) A hearing on Defendants' motions is set for September 25, 2009 at 9:00 a.m.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 7/6/2009



Hon. Jeremy Fogel
UNITED STATES DISTRICT JUDGE

CHI1 1604661v.1