

\*\*E-Filed 10/7/09\*\*

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

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

Plaintiff,

v.

COMUNITY LENDING., INC; RBS FINANCIAL  
PRODUCTS, INC., f/k/a GREENWICH CAPITAL  
FINANCIAL PRODUCTS, INC.; RBS  
ACCEPTANCE CORP., f/k/a GREENWICH  
CAPITAL ACCEPTANCE, INC.; GMAC  
MORTGAGE, LLC; and WELLS FARGO BANK,  
N.A., as Trustee of the Harborview Mortgage Loan  
Trust 2006-2010,

Defendants.

Case Number C 07-4501 JF (RS)

**ORDER<sup>1</sup> GRANTING LEAVE TO  
AMEND**

On September 29, 2009, the Court dismissed Plaintiff’s TILA claims without leave to amend. The Court held Plaintiff’s state-law claims in abeyance to allow the parties to submit letter briefs addressing the applicability of the Class Action Fairness Act of 2005 (“CAFA”). In

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<sup>1</sup> This disposition is not designated for publication in the official reports.

1 their subsequently filed letter briefs, all parties requested that the Court allow Plaintiff to amend  
2 her complaint to allege facts supporting jurisdiction under CAFA.

3 Good cause therefor appearing, the Court will grant Plaintiff leave to file a Sixth  
4 Amended Complaint. Any amended pleading shall be filed within thirty (30) days of the date of  
5 this order.

6 **IT IS SO ORDERED.**

7 DATED: 10/7/09

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10 JEREMY FOGEL  
United States District Judge

1 This Order has been served upon the following persons:

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