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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

DESIETA DIVINO, et al.,)
)
Plaintiffs,)
)
v.)
)
LEHMAN BROTHERS BANK, FSB, et al.,)
)
Defendants.)
_____)

Case No.: C 09-193 PVT

ORDER SETTING DEADLINE FOR PARTIES TO FILE EITHER A “CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE,” OR ELSE A “DECLINATION TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE AND REQUEST FOR REASSIGNMENT”

On January 23, 2009, defendants Lehman Brothers Bank FSB, Aurora Loan Services LLC and Mortgage Electronic Registration Systems, Inc. filed their motion to dismiss. This case has been assigned to a Magistrate Judge. Before the court takes any action on the motion to dismiss, the court must determine whether or not all of the parties who have appeared consent to Magistrate Judge jurisdiction, or whether any of the parties request reassignment to a District Judge. Therefore,

IT IS HEREBY ORDERED that no later than February 6, 2009, each party who has not already done so shall file either a “Consent to Proceed Before a United States Magistrate Judge,” or else a “Declination to Proceed Before a United States Magistrate Judge and Request for Reassignment.” Both forms are available from the clerk of the court, or from the Forms (Civil)

1 section of the court's website at www.cand.uscourts.gov.

2 Dated: January 27, 2009



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4 PATRICIA V. TRUMBULL
United States Magistrate Judge

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