

United States District Court  
For the Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

|                                 |   |                               |
|---------------------------------|---|-------------------------------|
| NORLITO SORIANO,                | ) | Case No.: 09-CV-02415-LHK     |
|                                 | ) |                               |
| Plaintiff,                      | ) |                               |
| v.                              | ) |                               |
|                                 | ) | ORDER SETTING BRIEFING        |
| COUNTRYWIDE HOME LOANS, INC.,   | ) | SCHEDULE REGARDING            |
| SOLIDHOMES FUNDING, MANUEL      | ) | PLAINTIFF'S <i>EX PARTE</i>   |
| CHAVEZ, MARK FLORES, SOLIDHOMES | ) | APPLICATION FOR CLARIFICATION |
| ENTERPRENEURS, INC., BANK OF    | ) |                               |
| AMERICA CORP., AND DOES 5-100,  | ) |                               |
|                                 | ) |                               |
| Defendants.                     | ) |                               |

The Court recently issued an Order setting a briefing schedule regarding Plaintiff's *ex parte* application for clarification of the Court's Order granting-in-part and denying-in-part summary judgment. Plaintiff has filed another *ex parte* application for further clarification of the Court's Order. Specifically, Plaintiff seeks clarification of whether or not he can seek emotional distress as damages for the alleged RESPA violation. If Defendants wish to address this issue, they shall do so in their Opposition to Plaintiff's first *ex parte* application, due April 21, 2011. Plaintiff may reply as to this issue in the Reply due April 25, 2011.

Should Plaintiff or Defendants identify any additional issues they believe require clarification, Plaintiff shall raise these with opposing counsel, and the parties shall submit the issue(s) in their pretrial conference materials, due April 27, 2011. No further *ex parte* motions for reconsideration or clarification will be considered.

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**IT IS SO ORDERED.**

Dated: April 19, 2011

  
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LUCY H. KOH  
United States District Judge