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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

HSBC BANK, USA, National Association,)
as Trustee for Wells Fargo Asset Securities)
Corporation, Mortgage Asset Backed Pass)
Through Certificates Series 2007-PA2,)
Plaintiff,)
v.)
TERESA TRAN,)
Defendant.)
_____)
AND RELATED CROSS-ACTION)
_____)

Case No.: C 10-3069 PVT

**ORDER EXTENDING SCHEDULE
FOR MOTION TO REMAND; AND
EXTENDING DEADLINE FOR
PARTIES TO FILE EITHER A
“CONSENT TO PROCEED BEFORE A
UNITED STATES MAGISTRATE
JUDGE,” OR A “DECLINATION TO
PROCEED BEFORE A UNITED
STATES MAGISTRATE JUDGE AND
REQUEST FOR REASSIGNMENT”**

On July 21, 2010, Plaintiff filed a Motion to Remand. Pursuant to Civil Local Rule 73-1(a)(2),¹ no later than five court days after that motion was filed each party was required to file either a written consent to the jurisdiction of the Magistrate Judge, or request reassignment to a District Judge.² No party has yet done so. Therefore, based on the file herein,

IT IS HEREBY ORDERED that the hearing on Plaintiff’s Motion to Remand is

¹ A copy of the court’s Civil Local Rules are available from the clerk of the court, or from the “Rules” section of the court’s website (www.cand.uscourts.gov).

² Magistrate Judges have authority to hear dispositive motions only in cases where all parties have consented to Magistrate Judge jurisdiction. See 28 U.S.C. § 636(c)(1).

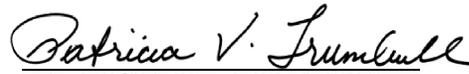
1 CONTINUED to September 21, 2010, at 10:00 a.m. in Courtroom 5 of this court.

2 IT IS FURTHER ORDERED that the deadline for the parties to file either a “Consent to
3 Proceed Before a United States Magistrate Judge,” or else a “Declination to Proceed Before a United
4 States Magistrate Judge and Request for Reassignment,” is extended to September 7, 2010. Both
5 forms are available from the clerk of the court, or from the “Forms” section of the court’s website
6 (www.cand.uscourts.gov).

7 IT IS FURTHER ORDERED that the deadline for Plaintiff to file a written opposition to the
8 motion to remand her complaint is extended to September 7, 2010.³ Plaintiff can find information
9 about responding to a motion in the court’s Handbook for Litigants Without a Lawyer, which is
10 available from the clerk of the court, or by clicking on the “Pro Se Handbook” link in the list on the
11 right-hand side of the court’s website.

12 IT IS FURTHER ORDERED that Plaintiff may file reply papers no later than September 14,
13 2010.

14 Dated: 8/26/10

15 
16 PATRICIA V. TRUMBULL
United States Magistrate Judge

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26 ³ Plaintiff has not yet filed any written opposition to the motion. *See* CIV.L.R. 7-3(a) (“Any
27 opposition to a motion must be served and filed not less than 21 days before the hearing date.”).
28 Because Plaintiff is *pro se*, the court finds it appropriate to extend the deadline for filing the opposition.
See, Draper v. Coombs, 792 F.2d 915, 924 (9th Cir. 1986) (Under Ninth Circuit case law, *pro se* litigants
are treated with “great leniency” when evaluating compliance with “the technical rules of civil
procedure”).

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Counsel automatically notified of this filing via the court's Electronic Case Filing system.

copies mailed on 8/26/10 to:

Teresa Tran
669 Platte River Court
San Jose, CA 95111

/s/ Donna Kirchner for
ELIZABETH GARCIA
Courtroom Deputy