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9	UNITED STATES DISTRICT COURT		
10	NORTHERN DISTRICT OF CALIFORNIA		
11	SAN JOSE 1	DIVISION	
12	Robert Perry; Tammy M. Rey,)	Case No.: 10-CV-03167-LHK	
13	Plaintiffs,) v.)		
14) National Default Servicing Corporation;		
15	Kondaur Capital Corporation; EMC Mortgage) Corporation; GMAC Mortgage LLC; Mortgage)	ORDER SETTING BRIEFING SCHEDULE	
16	Electronic Registration Service, Inc.; And All) Persons Unknown Claiming Any Legal or) Equitable Right, Title, Estate, Lien or Interest in)		
17	the Property Described in the Complaint Adverse) to Plaintiffs' Title, or Any Cloud Upon)		
18	Plaintiffs' Title Thereto, Does 1-100,)		
19	Defendants.)		
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21	This action was removed from state court on July 20, 2010. On August 3, Defendants EMC		
22	Mortgage Corporation and Mortgage Electronic Registration Service, Inc. filed a Motion to		
23	Dismiss the underlying complaint for failure to state a claim. See Dkt. No. 4. On August 9, 2010,		
24	Defendant Kondaur Captial Corporation filed a Motion to Dismiss the complaint, also for failure to		
25	state a claim. See Dkt. No. 13. The Court re-set the hearing date for these motions for January 20,		
26	2011.		
27	Plaintiffs are hereby ordered to submit oppositions, or statements of non-opposition, to the		
28	Motions to Dismiss by no later than December 9, 2010.		
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		Dockets.Justia.com	

1	Defendants are ordered to submit replies to these motions, if any, by December 16, 2010.	
2	IT IS SO ORDERED.	
3	Dated: November 18, 2010	
4		LUCY H. KOH United States District Judge
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