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**** E-filed October 1, 2010 ****

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MARILOU WILLIAMS,

No. C10-04351 HRL

Plaintiff,

**ORDER RE: PLAINTIFF'S NOTICE
OF LIS PENDENS**

v.

[Re: Docket No. 3]

COUNTRYWIDE HOME LOANS, et al.,

Defendants.

_____/

Pursuant to Cal. Code Civ. Proc. § 405.21, *pro se* plaintiff Marilou Williams seeks this Court's approval of her Notice of Lis Pendens ("Notice"), a copy of which is appended to this order. Her complaint appears to potentially affect title to or the right to possession of the real property described in the proposed Notice. Therefore, the Notice is approved. However, she is advised that this approval is not to be construed as a suggestion by this court that any of the claims made in the complaint necessarily have merit, and defendants may upon a proper showing ask for an order expunging the Lis Pendens and/or dismissing the complaint.

IT IS SO ORDERED.

Dated: October 1, 2010



HOWARD R. LLOYD
UNITED STATES MAGISTRATE JUDGE

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C10-04351 HRL Notice will be electronically mailed to:

Notice will be provided by other means to:

Marilou Williams
2524 Glen Ian Court
San Jose, CA 95148

Counsel are responsible for distributing copies of this document to co-counsel who have not registered for e-filing under the court's CM/ECF program.

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MARILOU WILLIAMS, In Pro se
2524 Glen Ian Ct
San Jose, CA 95148
Tel: (408) 418-4624
Fax: (888) 755-1416

FILED

2010 SEP 28 P 1:35

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

CHH

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

| | | |
|-------------------------------------|---|--------------------------------------|
| MARILOU WILLIAMS, an individual, |) | Civil Case No.: <u>CV10-4351-HAL</u> |
| |) | |
| Plaintiff, |) | Plaintiff's Ex Parte Application and |
| |) | Notice Of Lis Pendens |
| v. |) | |
| |) | |
| COUNTRYWIDE HOME LOANS , a |) | |
| corporation;; ALLIANCE TITLE |) | |
| COMPANY, a corporation; UNKNOWN |) | |
| MORTGAGE BROKER, an individual; |) | |
| RECONTRUST COMPANY, a corporation; |) | |
| and MORTGAGE ELECTRONIC |) | |
| RECORDING SYSTEMS, a privately held |) | |
| company, |) | |
| |) | |
| Defendants. |) | |
| |) | |
| |) | |
| |) | |

1. NOTICE IS HEREBY GIVEN that an action has been instituted and is now pending in the United States District Court in and for NORTHERN District of California upon the complaint MARILOU WILLIAMS, Plaintiff, against the above-named Defendants; COUNTRYWIDE HOME LOANS, ALLIANCE TITLE COMPANY, UNKNOWN MORTGAGE BROKER, RECONTRUST COMPANY and MORTGAGE

1 ELECTRONIC RECORDING SYSTEMS that the object of that action is to halt an
2 unlawful foreclose and/or Unlawful Detainer and eviction of Plaintiff from Plaintiff's
3 home, which is described as followed:

4 2524 GLEN IAN CT, SAN JOSE CA 95148. In the SANTA CLARA. (include
5 legal description as well) All that certain real property situate in the City of San
6 Jose, County of Santa Clara, State of California, describe as follows:

7
8 Lot 556, as shown on the certain Map of Tract No. 6970 Hidden Glen Evergreen No.
9 6, which Map was filed for record in the office of the Recorder of the County of
10 Santa Clara, State of California on June 23, 1988, in Book 587 of Maps, page(s) 38
11 to 40 inclusive.

12 EXCEPTING THEREFORM the underground water or rights thereto, with no rights
13 of surface entry, as granted to the City of San Jose, a municipal corporation, by
14 instrument recorded August 01, 1988 in Book K 624, page 2141, Official records.

15
16 2. Jurisdiction is proper in the county in which the property is situated (CCP
17 405.20).

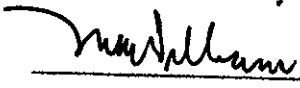
18 3. The action applies to any United States District Court in the same manner that it
19 applies to an action pending in the courts of California (CCP 405.5).

20 4. Plaintiff asserts a meritorious real property claim that affects title to and right to
21 possession of specific real property located at: 2524 GLEN IAN CT., SAN JOSE CA
22 95148.

23 5. Plaintiff more likely than not will obtain a judgment against the defendant on the
24 claim pending in the United States District Court in the Southern District of California
25 because of the Defendants' violations of the Truth in Lending Act ("TILA"), Real Estate
26 Settlement Procedures Act ("RESPA"), and fraud in the inducement of Plaintiff to accept a
27 loan against his/her best interests (CCP 405.3).

1 6. Any persons in any manner dealing with the above-described real estate
2 subsequent to the filing of this action will take subject to the rights of the Plaintiff as
3 established in this action.

4
5 Dated: 9/28/10



MARILOU WILLIAMS, In Pro Se

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