

1 **\*\* E-filed November 30, 2011 \*\***

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7 NOT FOR CITATION  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 DANTE MENESES,

No. C11-05227 HRL

12 Plaintiff,

13 v.

14 CITIMORTGAGE, INC.; and CR TITLE  
SERVICES, INC.,

15 Defendants.  
16 \_\_\_\_\_/

**ORDER (1) CONTINUING MOTION  
HEARINGS; (2) REMINDER RE:  
DEADLINE FOR CONSENT OR  
DECLINATION TO PROCEED  
BEFORE A UNITED STATES  
MAGISTRATE JUDGE; AND (3)  
CONTINUING THE INITIAL CASE  
MANAGEMENT CONFERENCE**

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18 Plaintiff Dante Meneses brought this action against CitiMortgage, Inc. and CR Title  
19 Services, Inc. (collectively "Defendants") in Santa Clara County Superior Court on September 28,  
20 2011. Dkt. No. 1. Defendants timely removed the action to federal court. Id. Defendants then moved  
21 to dismiss the complaint, to strike portion of the complaint, and to expunge notice of pendency of  
22 action (lis pendens). Dkt. Nos. 5, 6, 10. The motions to dismiss and to strike are set for hearing on  
23 December 13, and the motion to expunge the lis pendens is set for hearing on December 27.  
24 Defendants request that the motion hearings be consolidated, and filed a Notice to continue the  
25 December 13 hearing to the 27<sup>th</sup>. In the interests of judicial economy and due to the court's  
26 unavailability on December 27, these motions are hereby continued to **January 17, 2012 at 10:00**  
27 **a.m.** in Courtroom 2, Fifth Floor, 280 S. First St., San Jose, CA.  
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1 The parties are reminded that this civil case has been randomly assigned to a magistrate  
2 judge for all purposes including trial. Accordingly, all parties who have not yet done so shall, **no**  
3 **later than December 6, 2011**, file either (1) a Consent to Proceed before a United States Magistrate  
4 Judge or (2) a Declination to Proceed before a Magistrate Judge and Request for Reassignment to a  
5 United States District Judge. *See* N.D. Cal. Civ. R. 73-1. The consent and declination forms are  
6 available at the Clerk's Office and may also be obtained from the court's website at  
7 <http://www.cand.uscourts.gov>.

8 Finally, there is an Initial Case Management Conference scheduled for December 13, 2011.  
9 In order to allow the court to hear and rule on the pending motions and the parties to respond  
10 accordingly, the Case Management Conference is continued to **February 14, 2012 at 1:30 p.m.** The  
11 parties shall file a Joint Case Management Statement by February 7.

12 **IT IS SO ORDERED.**

13 Dated: November 30, 2011

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16 HOWARD R. LLOYD  
17 UNITED STATES MAGISTRATE JUDGE  
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**C11-05227 HRL Notice will be electronically mailed to:**

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**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.**