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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

QUINTERO FAMILY TRUST; GEORGE
HANNIBAL QUINTERO & CELIA G.
QUINTERO, as Trustees; GEORGE
HANNIBAL QUINTERO, an individual;
CELIA G. QUINTERO, an individual,

Plaintiffs,

vs.

ONEWEST BANK, F.S.B. as successor to
INDYMAC BANK, F.S.B., a Federally
Chartered Savings and Loan Association;
IDNYMAC BANKCORP, INC., a California
corporation; INDYMAC MORTGAGE
SERVICES, a division of ONEWEST
BANK, F.S.B.; QUALITY LOAN SERVICE
CORP., a California corporation; CLARION
MORTGAGE CAPITAL, INC., a Colorado
corporation; BILL LANEY, an individual;
BREAKTHROUGH MARKETING, INC., a
California corporation d/b/a HOME ASSET
MORTGAGE,

Defendants.

CASE NO. 09-CV-1561 - IEG (AJB)

ORDER:

(1) CONSOLIDATING HEARINGS;
and

(2) RESETTING HEARINGS AND
SETTING BRIEFING SCHEDULE

[Doc. No. 12]

Currently before the Court is the Motion to Dismiss First Amended Complaint by OneWest Bank, F.S.B. and Indymac Mortgage Services and the Motion to Dismiss First Amended Complaint by Clarion Mortgage Capital, Inc. [Doc. Nos. 8, 11]. The hearings for these motions are currently scheduled for October 19, 2009, and November 9, 2009, respectively. Also before the Court is

1 Plaintiffs' *Ex Parte* Application to Coordinate Motions to Dismiss, Set a Briefing Schedule, and
2 Consolidate Hearings. [Doc. No. 12]. GOOD CAUSE appearing and to promote judicial efficiency,
3 the Court **GRANTS** Plaintiffs' *Ex Parte* Application and **CONTINUES** both of the hearings. The
4 Court sets Monday, **December 7, 2009 at 10:30 a.m.** as the new hearing date for both of these
5 Motions to Dismiss. In light of this, the Court **VACATES** the current hearing dates. Moreover, the
6 Court hereby sets the following briefing schedule:


7 1.) Plaintiffs' opposition to both Motions to Dismiss shall be filed on or before **November 16,**
8 **2009,** and

9 2.) Defendants' replies to Plaintiffs' opposition shall be filed on or before **November 30, 2009.**

10 Finally, the Court also refers the matter to Magistrate Judge Battaglia to determine the scope
11 and timing of discovery, if any, to address the Defendants' Motions to Dismiss.

12 **IT IS SO ORDERED.**

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14 **DATED: October 1, 2009**


15 **IRMA E. GONZALEZ, Chief Judge**
16 **United States District Court**

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