


1 the operative date for calculating the statute of limitations is October 6, 2009, the date Plaintiffs
2 exercised their right to rescind. As the October 6, 2009 letter occurred within the three year statute
3 of limitations, the claim is timely. See Beach v. Ocwen Federal Bank, 523 U.S. 410, 417 (1998).

4 In sum, the court grants the motion for reconsideration and grants Plaintiffs an additional 10
5 days from the date of entry of this order to file the amended complaint, including a claim for
6 rescission.

7 **IT IS SO ORDERED.**

8 DATED: March 10, 2010

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10 _____
11 Hon. Jeffrey T. Miller
12 United States District Judge

11 cc: All parties

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