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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

QUALITY LOAN SERVICE CORP.,
Petitioner,
v.
ALL CLAIMANTS TO SURPLUS
FUNDS AFTER TRUSTEE'S SALE
OF REAL PROPERTY LOCATED
AT: 246 VIA TAVIRA, ENCINITAS,
CA 92024, et al.,
Respondents.

Case No.: 20cv945-BAS-MDD

**ORDER GRANTING JOINT
MOTION TO TRANSFER AND
DEPOSIT FUNDS INTO FEDERAL
REGISTRY**

[ECF No. 13]

This interpleader action was originally filed in the Superior Court of California, County of San Diego and removed to this Court on May 21, 2020. (ECF No. 1). Quality Loan Service Corp. (“Petitioner”) deposited the surplus funds from a trustee’s sale of real property located at 246 Via Tavira, Encinitas, CA 92024 (hereinafter, “the Property”) with the San Diego Superior Court pursuant to California Code of Civil Procedure 2924j(c). (ECF No. 13 at 3). The United States, Terraces at Cantebria Homeowners Association (collectively, “Claimants”), and Petitioner now move the Court to transfer those funds to this Court’s registry. (*Id.*).

1 “Whenever any action is removed from a State court to a district court
2 of the United States, any attachment or sequestration of the goods or estate
3 of the defendant in such action in the State court shall hold the goods or
4 estate to answer the final judgment or decree in the same manner as they
5 would have been held to answer final judgment or decree had it been
6 rendered by the State court.” 28 U.S.C. § 1450. Accordingly, 28 U.S.C. §
7 1450 gives this Court jurisdiction over the interpleaded funds once removal
8 occurs.

9 The interpleader complaint was removed to this District. (ECF No. 1).
10 As such, the interpleader funds are necessarily related to the interpleader
11 complaint. Accordingly, the Court **GRANTS** the parties’ joint motion.

12 **IT IS HEREBY ORDERED THAT:**

13 The Clerk of Court for the Superior Court of California, County of San
14 Diego is authorized and directed to disperse the amount of \$166,423.45,
15 related to that Court’s Docket No. 37-2020-00006524, less any statutory
16 Clerk’s costs and plus any statutory accrued interest, to the Clerk of Court for
17 the Southern District of California. The check should be made payable to the
18 Clerk of Court for the Southern District of California, contain reference to
19 Case No. 3:20-cv-00945-BAS-MDD, and be mailed as follows:

20 **Clerk of the Court**
21 United States District Court
22 Southern District of California
23 333 West Broadway, Suite 420
24 San Diego, CA 92101

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25 //
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1 Upon receipt of the funds transferred from the Clerk of Court for the
2 Superior Court of California, the Clerk of this Court is authorized and
3 ordered to deposit those funds in this Court’s registry in association with the
4 above-captioned action immediately upon receipt.

5 **IT IS SO ORDERED.**

6 Dated: November 19, 2020



Hon. Mitchell D. Dembin
United States Magistrate Judge

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