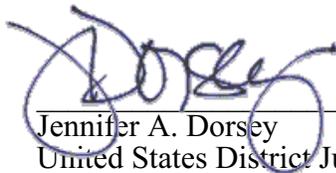


1 supplemental memorandum of points and authorities discussing the scope of relief legally available
2 and addressing the seven factors outlined by the Ninth Circuit in *Eitel v. McCool*.² If U.S. Bank
3 Trust seeks fees and costs, U.S. Bank Trust is further ORDERED to submit a separate motion for
4 fees and costs that complies with Local Rule 54-14. U.S. Bank Trust is ORDERED to submit all
5 filings within 10 days of the date of this order.

6 DATED April 21, 2017.

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9 Jennifer A. Dorsey
United States District Judge

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25 ² The seven factors outlined in *Eitel* include: (1) the possibility of prejudice to the plaintiff; (2) the merits
26 of plaintiff's substantive claim; (3) sufficiency of the complaint; (4) the sum of money at stake in the
27 action; (5) the possibility of a dispute concerning material facts; (6) whether the default was due to
excusable neglect; and (7) the strong policy underlying the Federal Rules of Civil Procedure favoring
28 decisions on the merits. *Eitel v. McCool*, 782 F.2d 1470, 1471-72 (9th Cir. 1986) .