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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

LACY J. DALTON, et al.,
Plaintiffs,
v.
CITIMORTGAGE, INC., et al.,
Defendants.

3:09-cv-0534-LDG-VPC

ORDER

Given the MDL court’s order retaining claims related to the MERS system and remanding only the substantive claim for unjust enrichment to the extent that it is based on loan origination issues along with the associated claims for injunctive and declaratory judgment remedies (#303),

THE COURT HEREBY ORDERS that the following motions are DENIED without prejudice as moot:

- Plaintiff’s first motion for temporary restraining order and motion for preliminary injunction (#6);
- Defendant Aztec Foreclosure Corporation’s motions to dismiss for failure to state a claim for relief or, in the alternative, for more definite statement (#41 and #137);
- The Federal Housing Finance Agency as Conservator for Fannie Mae and Freddie Mac motion to intervene (#43);
- Defendant T.D. Service Corporation’s motion to quash service of summons and complaint and motion to dismiss class action complaint (#131);

1 Defendants Merscorp, Inc., and Mortgage Electronic Registration Systems, Inc.’s motion
to dismiss plaintiff’s first amended complaint (#174);

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3 Defendants Federal Home Loan Mortgage Corporation, Federal National Mortgage
Association, and other Merscorp shareholder defendants’ motion to dismiss (#177);

4 Defendant Saxon Mortgage Corporation’s motion to dismiss class action complaint (#180);

5 Defendant Aurora Loan Services, LLC’s motion to dismiss class action complaint (#181);

6 Defendant National City Mortgage, National City Corporation, and PNC Financial
Services’ motion to dismiss (#182);

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8 Defendants California Reconveyance Company, J.P. Morgan Chase Bank, and EMC
Corporation’s joint motion to dismiss (#184);

9 The Federal Housing Finance Agency as conservator for Fannie Mae and Freddie Mac’s
motion for leave to file motion to dismiss (#185);

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11 Defendant American Home Mortgage Servicing, Inc.’s motion to dismiss class action
complaint (#186);

12 Defendant Deutsche Bank National Trust Company’s motion to dismiss class action
complaint (#187);

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14 Defendant Citimortgage Inc.’s motion to dismiss complaint (#188);

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16 Defendants Executive Trustee Services, Inc., GMAC Mortgage, LLC, Homecomings
Financial LLC’s motion to dismiss (#189);

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18 Defendant GE Money Bank’s motion to dismiss class action complaint (#190);

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20 Defendants Bank of America, NA, Countrywide Home Loans, Inc., First Franklin Loan
Services, First Horizon Home Loan Corporation, Reconstruct Company, The Bank of New
York Mellon, Bank of America, and Wells Fargo Bank, N.A.’s joint motion to dismiss
(#192);

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22 Defendant Suntrust Mortgage, Inc.’s motion to dismiss (#193);

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24 Defendant HSBC Mortgage Corporation, USA’s motion to dismiss (#194);

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26 Defendant Met Life Group, Inc.’s motion to dismiss (#199);

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28 Defendant Midland Mortgage Co.’s motion to dismiss (#200);

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30 Defendant Central Mortgage Company’s motion to dismiss, or in the alternative, for
summary judgment (#208);

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32 Plaintiffs’ second motion for temporary restraining order (#257);

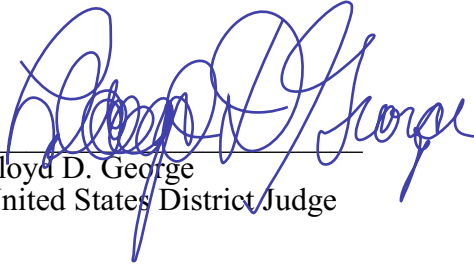
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Defendant National Default Servicing Corporation’s motion to dismiss, or in the alternative, for summary judgment (#288); and

Defendant Quality Loan Service Corporation’s motion to dismiss (#294).

THE COURT FURTHER ORDERS that within ninety (90) days of the filing of this order the parties may refile the above motions only as they pertain to the issues remanded by the MDL court’s order.

Dated this 29 day of September, 2010.



Lloyd D. George
United States District Judge