

(AJWx), CLOSED, DISCOVERY

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
(Western Division – Los Angeles)  
CIVIL DOCKET FOR CASE #: 2:09-cv-04589-AHM-AJW**

Paul Nguyen et al v. Chase Bank USA, N.A. et al  
Assigned to: Judge A. Howard Matz  
Referred to: Magistrate Judge Andrew J. Wistrich  
Cause: 15:1601 Truth in Lending

Date Filed: 06/25/2009  
Date Terminated: 09/15/2010  
Jury Demand: Plaintiff  
Nature of Suit: 371 Truth in Lending  
Jurisdiction: Federal Question

**Plaintiff**

**Paul Nguyen**

represented by **Paul Nguyen**  
16141 Quartz Street  
Westminster, CA 92683  
714-360-7602  
Email: [mnapaul1@gmail.com](mailto:mnapaul1@gmail.com)  
PRO SE

**Plaintiff**

**Laura Nguyen**  
*an individual*

represented by **Laura Nguyen**  
16141 Quartz Street  
Westminster, CA 92683  
714-360-7602  
Email: [mnapaul1@gmail.com](mailto:mnapaul1@gmail.com)  
PRO SE

V.

**Defendant**

**Chase Bank USA, N.A.**

represented by **S Christopher Yoo**  
Adorno Yoss Alvarado and Smith  
1 MacArthur Place Suite 200  
Santa Ana, CA 92707  
714-852-6800  
Fax: 714-852-6899  
Email: [cwoo@adorno.com](mailto:cwoo@adorno.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Chase Home Finance, LLC**

represented by **S Christopher Yoo**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**First American Loanstar Trustee  
Services**

represented by **Christina Danielle Rovira**  
Wright Finlay & Zak LLP  
4665 MacArthur Court Suite 280  
Newport Beach, CA 92660  
949-477-5050  
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*TERMINATED: 08/25/2010*  
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**T Robert Finlay**

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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Fidelity National Title Company**  
*TERMINATED: 11/23/2009*

**Defendant**

**Does**  
*1 through 50, inclusive*  
*TERMINATED: 01/11/2010*

**Defendant**

**Joseph Son Cao Tran**  
*TERMINATED: 08/20/2010*  
*also known as*  
Doe 1  
*TERMINATED: 08/20/2010*

represented by **Kermit David Marsh**  
Kermit D Marsh Law Offices  
9550 Warner Avenue Suite 250  
Fountain Valley, CA 92708  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Sydney Funding and Realty Inc**  
*TERMINATED: 09/24/2009*  
*also known as*  
Doe 2  
*TERMINATED: 09/24/2009*

represented by **Martin J Kaufman**  
Lee and Kaufman  
633 W 5th Street 51st Fl  
Los Angeles, CA 90071  
213-239-9400  
Fax: 213-239-9409  
Email: [mjk@lklaw.net](mailto:mjk@lklaw.net)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Sidney Tran**  
*TERMINATED: 09/24/2009*  
*also known as*  
Doe 3  
*TERMINATED: 09/24/2009*

represented by **Martin J Kaufman**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Nexus Escrow Inc**  
*TERMINATED: 09/24/2009*  
*also known as*  
Doe 4  
*TERMINATED: 09/24/2009*

represented by **Martin J Kaufman**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**John Nguyen**  
*TERMINATED: 09/24/2009*  
*also known as*  
Doe 5  
*TERMINATED: 09/24/2009*

represented by **Martin J Kaufman**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant****Ralty Savers Inc**

TERMINATED: 08/05/2009

**Defendant****Paul Tuan Nguyen***an Individual*

TERMINATED: 08/05/2009

Date Filed	#	Docket Text
06/25/2009	<u>1</u>	COMPLAINT against Defendants Chase Bank USA, N.A., Chase Home Finance, LLC, First American Loanstar Trustee Services, Fidelity National Title Company, Does 1 through 50, inclusive. (Filing fee \$ 350 PAID.) Jury Demanded., filed by Plaintiffs Paul Nguyen, Laura Nguyen. (Attachments: # <u>1</u> CV-18 Notice of Assignment to U.S. Magistrate Judge for discovery, # <u>2</u> Summons, # <u>3</u> Civil Cover Sheet). (et) (Entered: 06/26/2009)
06/25/2009		20 DAY Summons Issued re Complaint – (Discovery) <u>1</u> as to Defendants Chase Bank USA, N.A., Chase Home Finance, LLC, First American Loanstar Trustee Services, Fidelity National Title Company, Does 1 through 50, inclusive. (et) (Entered: 06/26/2009)
06/25/2009	<u>2</u>	CERTIFICATION AND NOTICE of Interested Parties filed by Plaintiffs Paul Nguyen, Laura Nguyen. (et) (Entered: 06/26/2009)
06/29/2009	<u>3</u>	ORDER RETURNING CASE FOR REASSIGNMENT by Judge Consuelo B. Marshall. ORDER case returned to the Clerk for random reassignment pursuant to General Order 08-05. Case randomly reassigned from Judge Consuelo B. Marshall to Judge A. Howard Matz for all further proceedings. The case number will now reflect the initials of the transferee Judge CV 09-04589 AHM (AJWx). (rn) (Entered: 06/29/2009)
06/29/2009	<u>5</u>	EX PARTE APPLICATION for Temporary Restraining Order and Order to Show Cause re Preliminary Injunction; Memorandum of Points and Authorities; Declaration filed by Plaintiffs Paul Nguyen, Laura Nguyen. Lodged [Prop] Order.(lom) (Entered: 06/30/2009)
06/29/2009	<u>6</u>	NOTICE of Pendency of Action filed by Plaintiffs Paul Nguyen, Laura Nguyen. (lom) (Entered: 06/30/2009)
06/30/2009	<u>4</u>	MINUTES IN CHAMBERS before Judge A. Howard Matz: Plaintiffs are therefore ORDERED to file declarations establishing that they diligently attempted to inform Defendants of the pending Application and that this action has been assigned to this Court. The declaration should also state whether defendants intend to file an opposition to the Application. The declarations must be filed not later than 7/7/2009. (jp) (Entered: 06/30/2009)
07/01/2009	<u>7</u>	INITIAL ORDER FOLLOWING FILING OF COMPLAINT ASSIGNED TO JUDGE MATZ: Counsel for plaintiff shall serve this Order on all defendant and/or their counsel along with the summons and complaint, or if that is not practicable as soon as possible thereafter. If this case was assigned to this Court after being removed from State Court, the defendant who removed the case shall serve this Order on all other parties. This case has been assigned to the calendar of Judge A. Howard Matz (see document for further details). All documents which are required to be filed in an electronic format pursuant to General Order No. 08-02 must be filed electronically no later than midnight on the date due, unless otherwise ordered by the Court. Courtesy copies are required for all e-filed documents and must be delivered to the drop box in the entrance way to chambers, to the left of Courtroom 14, located at 312 N. Spring Street, Spring Street level, no later than noon the following business day. (jp) (Entered: 07/02/2009)
07/06/2009	<u>8</u>	PROOF OF SERVICE Executed by Plaintiffs Paul Nguyen, Laura Nguyen, upon Defendants Chase Bank USA, N.A; Chase Home Finance, LLC; Fidelity National

		Title Company served on 6/29/2009, answer due 7/19/2009. The Summons and Complaint were served by Personal service, by State statute, upon CT Corporation System. Due Diligence declaration NOT attached. Original Summons RETURNED. (jp) (Entered: 07/07/2009)
07/06/2009	<u>9</u>	PROOF OF SERVICE Executed by Plaintiffs Paul Nguyen, Laura Nguyen, upon First American Loanstar Trustee Services served on 6/29/2009, answer due 7/19/2009. The Summons and Complaint were served by Personal service, by State statute, upon Timothy P. Sullivan, VP Counsel for defendant. Due Diligence declaration NOT attached. Original Summons RETURNED. (jp) (Entered: 07/07/2009)
07/06/2009	<u>10</u>	DECLARATION of PAUL NGUYEN re Notice and Service of Plaintiff's EX PARTE APPLICATION for Temporary Restraining Order and Order to Show Cause re Preliminary Injunction <u>5</u> filed by Plaintiff Paul Nguyen. (jp) (Entered: 07/07/2009)
07/06/2009	<u>11</u>	DOE AMENDMENTS TO COMPLAINT <u>1</u> filed by Plaintiffs Paul Nguyen, Laura Nguyen, being ignorant of the true name of the defendant and subsequently having discovered the true name of said defendant, hereby amend their complaint by inserting the true name in the place and stead of such fictitious name wherever they appear in the complaint as follows: Doe 1: Joseph Son Cao Tran; Doe 2: Sydney Funding and Realty Inc; Doe 3: Sidney Tran; Doe 4: Nexus Escrow inc; Doe 5: John Nguyen. (jp) (Entered: 07/07/2009)
07/08/2009	<u>12</u>	MINUTES (IN CHAMBERS) by Judge A. Howard Matz: The Court therefore GRANTS Plaintiffs Ex Parte Application for a Temporary Restraining Order <u>5</u> , but only as to Chase Bank USA. Chase Bank USA is enjoined from proceeding with the foreclosure and sale of the residence located at 16141 Quartz Street Westminster, California, including providing any information or assistance to the other defendants. Unless renewed by the Court, this TRO will automatically dissolve the day after the preliminary injunction hearing. Further ORDERED that a hearing for preliminary injunction is set for 7/30/2009 at 10:00 AM. The Court will construe Plaintiffs Application as its opening brief on a motion for preliminary injunction. Any Defendant wishing to file an opposition brief shall do so no later than 7/17/2009. Plaintiffs must file their reply no later than 7/24/2009. Plaintiffs are also ORDERED to serve this Order on all Defendants, including the defendants recently added to Plaintiffs Complaint, by not later than 7/10/2009. Plaintiffs shall provide their e-mail address(es) to the Court, via a filing, by 7/10/2009. (jp) (Entered: 07/09/2009)
07/08/2009	<u>13</u>	FIRST VERIFIED AMENDED COMPLAINT against defendants Ralty Savers Inc, Paul Tuan Nguyen, Joseph Son Cao Tran, Chase Bank USA, N.A., Sydney Funding and Realty Inc, Sidney Tran, Nexus Escrow Inc, John Nguyen, Chase Home Finance, LLC, First American Loanstar Trustee Services, Fidelity National Title Company, Does amending Complaint – (Discovery) <u>1</u> with JURY DEMAND, filed by plaintiffs Paul Nguyen, Laura Nguyen. (jp) (Additional attachment(s) added on 7/10/2009: # <u>1</u> 20 Days Summons Issued on First Amended) (jp). (Entered: 07/09/2009)
07/08/2009	<u>14</u>	CERTIFICATION AND NOTICE of Interested Parties filed by Plaintiffs Paul Nguyen, Laura Nguyen. (jp) (Entered: 07/09/2009)
07/08/2009		20 DAY Summons Issued on First Amended Complaint <u>13</u> as to Defendants Joseph Son Cao Tran, Chase Bank USA, N.A., Sydney Funding and Realty Inc, Sidney Tran, Nexus Escrow Inc, John Nguyen, Chase Home Finance, LLC, Ralty Savers Inc, Paul Tuan Nguyen, First American Loanstar Trustee Services, Fidelity National Title Company, Does. (jp) (Entered: 07/10/2009)
07/09/2009	<u>15</u>	MINUTES IN CHAMBERS before Judge A. Howard Matz: Pursuant to Federal Rule of Civil Procedure 65(d)(2), the Temporary Restraining Order ("TRO") issued on July 8, 2009 binds not only Chase Bank USA, but those "who receive actual notice of [the TRO] by personal service or otherwise" and "who are in active concert or participation with" Chase Bank USA, its officers, agents, servants, employees, and attorneys. (jp) (Entered: 07/10/2009)

07/09/2009	<u>16</u>	NOTICE of Plaintiffs' e-mail address mnapaul1@gmail.com filed by plaintiffs Paul Nguyen, Laura Nguyen. (se) (Entered: 07/10/2009)
07/09/2009	<u>17</u>	PROOF OF SERVICE BY MAIL filed by plaintiffs Paul Nguyen, Laura Nguyen, re Order on Ex Parte Application for TRO, Order on Ex Parte Application for Order to Show Cause <u>12</u> served on 7/9/09. (se) (Entered: 07/10/2009)
07/14/2009	<u>18</u>	MINUTES OF IN CHAMBERS ORDER held before Judge A. Howard Matz re Order on Ex Parte Application for TRO, Order on Ex Parte Application for Order to Show Cause <u>12</u> : Preliminary Injunction hearing is continued to 8/3/2009 at 10:00 AM before Judge A. Howard Matz. Unless renewed by the Court, the Temporary Restraining Order currently in effect will automatically dissolve the day after the preliminary injunction hearing. All other dates are unaffected. (se) (Entered: 07/14/2009)
07/14/2009	<u>19</u>	PROOF OF SERVICE Executed by plaintiff Paul Nguyen, upon Realty Savers Inc served on 7/10/2009, answer due 7/30/2009. The Summons and First Amended Complaint were served by substituted service, by State statute, upon Ho Tran, Office Manager. Due Dilligence declaration not attached. (se) Modified on 7/14/2009 (se). (Entered: 07/14/2009)
07/14/2009	<u>20</u>	PROOF OF SERVICE Executed by plaintiff Paul Nguyen, upon First American Loanstar Trustee Services served on 7/9/2009, answer due 7/29/2009. The Summons and First Amended Complaint were served by personal service, by state statute, upon Timothy P. Sullivan, Designated Agent. Due Dilligence declaration not attached. (se) (Entered: 07/14/2009)
07/14/2009	<u>21</u>	PROOF OF SERVICE Executed by plaintiff Paul Nguyen, upon Paul Tuan Nguyen served on 7/10/2009, answer due 7/30/2009. The Summons and First Amended Complaint were served by substituted service, by state statute, upon Ho Tran, Office Manager. Due Dilligence declaration not attached. (se) (Entered: 07/14/2009)
07/14/2009	<u>22</u>	PROOF OF SERVICE Executed by plaintiff Paul Nguyen, upon John Nguyen served on 7/10/2009, answer due 7/30/2009. The Summons and First Amended Complaint were served by personal service, by state statute, upon John Nguyen. Due Dilligence declaration not attached. (se) (Entered: 07/14/2009)
07/14/2009	<u>23</u>	PROOF OF SERVICE Executed by plaintiff Paul Nguyen, upon Nexus Escrow Inc served on 7/10/2009, answer due 7/30/2009. The Summons and First Amended Complaint were served by personal service, by state statute, upon John Nguyen, Designated Service of Process Agent. Due Dilligence declaration not attached. (se) (Entered: 07/14/2009)
07/14/2009	<u>24</u>	PROOF OF SERVICE Executed by plaintiff Paul Nguyen, upon Sidney Tran served on 7/10/2009, answer due 7/30/2009. The Summons and First Amended Complaint were served by personal service, by state statute, upon Sidney Tran. Due Dilligence declaration not attached. (se) (Entered: 07/14/2009)
07/14/2009	<u>25</u>	PROOF OF SERVICE Executed by plaintiff Paul Nguyen, upon Sydney Funding and Realty Inc served on 7/10/2009, answer due 7/30/2009. The Summons and First Amended Complaint were served by personal service, by state statute, upon Sidney Tran, Designated Agent for Service of Process. Due Dilligence declaration not attached. (se) (Entered: 07/14/2009)
07/14/2009	<u>26</u>	PROOF OF SERVICE Executed by plaintiff Paul Nguyen, upon Chase Home Finance, LLC served on 7/14/2009, answer due 8/3/2009. The Summons and First amended Complaint were served by personal service, by state statute, upon CT Corporation System, Designated Agent for Service of Process. Due Dilligence declaration not attached. (se) (Entered: 07/14/2009)
07/14/2009	<u>27</u>	PROOF OF SERVICE Executed by plaintiff Paul Nguyen, upon Joseph Son Cao Tran served on 7/10/2009, answer due 7/30/2009. The Summons and First Amended Complaint were served by substituted service, by state statute, upon Ngoc Nguyen, Office Manager. Due Dilligence declaration not attached. (se) (Entered: 07/14/2009)

07/24/2009	<u>28</u>	NOTICE of Interested Parties filed by Defendants Chase Bank USA, N.A., Chase Home Finance, LLC, identifying Chase Bank USA, N.A., formerly known as Chase Manhattan Bank U.S.A., N.A., is a wholly owned subsidiary of Chase Home Finance Inc., which is a wholly owned subsidiary of JPMorgan Chase Bank, National Association, which is a wholly owned subsidiary of JPMorgan Chase &Co., a publicly traded corporation. (Yoo, S) (Entered: 07/24/2009)
07/24/2009	<u>29</u>	OPPOSITION OPPOSITION re: EX PARTE APPLICATION for Temporary Restraining Order as to --- EX PARTE APPLICATION for Order to Show Cause re: --- <u>5</u> filed by Defendants Chase Bank USA, N.A., Chase Home Finance, LLC. (Yoo, S) (Entered: 07/24/2009)
07/24/2009	<u>30</u>	REQUEST FOR JUDICIAL NOTICE re EX PARTE APPLICATION for Temporary Restraining Order as to --- EX PARTE APPLICATION for Order to Show Cause re: --- <u>5</u> filed by defendants Chase Bank USA, N.A., Chase Home Finance, LLC. (Yoo, S) (Entered: 07/24/2009)
07/30/2009	<u>31</u>	REQUEST to Strike Late Opposition filed by Defendants in Opposition to Plaintiffs EX PARTE APPLICATION for Temporary Restraining Order and Order to Show Cause re Preliminary Injunction <u>5</u> . In the alternative, Plaintiffs Reply to Defendants Opposition filed by plaintiffs Paul Nguyen, Laura Nguyen. (jp) (Entered: 07/30/2009)
07/30/2009	<u>32</u>	FIRST REQUEST FOR JUDICIAL NOTICE filed by plaintiffs Paul Nguyen, Laura Nguyen. (jp) (Entered: 07/30/2009)
07/30/2009	<u>33</u>	FIRST STIPULATION Extending Time to Answer the complaint as to Sydney Funding and Realty Inc answer now due 8/6/2009, filed by Defendant Sydney Funding and Realty Inc.(Kaufman, Martin) (Entered: 07/30/2009)
08/03/2009	<u>34</u>	NOTICE OF MOTION AND MOTION to Dismiss First Amended Complaint for Failure to State a Claim Upon Which Relief Can Be Granted (FRCP 12(B)(6)) filed by Defendants Chase Bank USA, N.A., Chase Home Finance, LLC. Motion set for hearing on 10/19/2009 at 10:00 AM before Judge A. Howard Matz. (Yoo, S) (Entered: 08/03/2009)
08/03/2009	<u>35</u>	REQUEST FOR JUDICIAL NOTICE re MOTION to Dismiss First Amended Complaint for Failure to State a Claim Upon Which Relief Can Be Granted (FRCP 12(B)(6)) MOTION to Dismiss First Amended Complaint for Failure to State a Claim Upon Which Relief Can Be Granted (FRCP 12(B)(6)) <u>34</u> filed by Defendants Chase Bank USA, N.A., Chase Home Finance, LLC. (Yoo, S) (Entered: 08/03/2009)
08/03/2009	<u>36</u>	MINUTES IN CHAMBERS before Judge A. Howard Matz (see attached Minute order for further details). Preliminary injunction is conditioned upon Plaintiffs filing an authenticated appraisal by August 10, 2009, and presenting evidence that they are capable of tendering the proceeds of the loan. Plaintiffs must show in writing, by not later than August 24, 2009, that they can tender the proceeds. Defendants may file a response to this showing on or before September 2, 2009, and Plaintiffs may file a reply by September 9, 2009. If Plaintiffs fail to make the requisite showing, the preliminary injunction will expire. Plaintiffs may also file a declaration by Laura Nguyen regarding the alleged forgery. (jp) (Entered: 08/04/2009)
08/03/2009	<u>37</u>	REQUEST to Enter Default against defendant Joseph Son Cao Tran filed by plaintiff Laura Nguyen. (jp) (Entered: 08/04/2009)
08/03/2009	<u>38</u>	REQUEST to Enter Default against defendant First American Loanstar Trustee Services filed by plaintiffs Paul Nguyen, Laura Nguyen. (jp) (Entered: 08/04/2009)
08/03/2009	<u>45</u>	MINUTES OF Motion Hearing held before Judge A. Howard Matz: Court circulates tentative order and hears oral argument. The Court conditionally grants the preliminary injunction upon plaintiffs filing an authenticated appraisal by August 10, 2009, and presenting evidence that they are capable of tendering the proceeds of the loan. Plaintiffs must show in writing, by not later than August 24, 2009, that they can tender the proceeds. Defendants may file a response to this showing on or before September 2, 2009, and plaintiffs may file a reply by September 9, 2009. If Plaintiffs fail to make the requisite showing, the preliminary

		injunction will expire. Plaintiffs may also file a declaration by Laura Nguyen regarding the alleged forgery. Order to issue.Court DENIES <u>31</u> Request to Strike defendants' late opposition to plaintiffs' ex parte application for TRO. Court Reporter: Cindy Nirenberg. (se) (Entered: 08/07/2009)
08/04/2009	<u>39</u>	DEFAULT BY CLERK ENTERED on First Amended Complaint as to Defendant Joseph Son Cao Tran. (jp) (Entered: 08/04/2009)
08/04/2009	<u>40</u>	DEFAULT BY CLERK ENTERED on First Amended Complaint as to Defendant First American Loanstar Trustee Services. (jp) (Entered: 08/04/2009)
08/06/2009	<u>41</u>	ANSWER to Amended Complaint., <u>13</u> ANSWER OF DEFENDANTS JOHN NGUYEN, SIDNEY TRAN, SYDNEY FUNDING AND REALTY, INC. AND NEXUS ESCROW, INC. TO PLAINTIFFS PAUL NGUYEN AND LAURA NGUYEN'S FIRST VERIFIED AMENDED COMPLAINT filed by DEFENDANTS Sydney Funding and Realty Inc, Sidney Tran, Nexus Escrow Inc, John Nguyen.(Kaufman, Martin) (Entered: 08/06/2009)
08/06/2009	<u>42</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents. The following error(s) was found: no certification of interested parties RE: Answer to Complaint (Discovery), Answer to Complaint (Discovery) <u>41</u> . In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. (se) (Entered: 08/06/2009)
08/07/2009	<u>43</u>	ORDER SETTING SCHEDULING CONFERENCE by Judge A. Howard Matz: Scheduling Conference set for 11/2/2009 at 01:30 PM before Judge A. Howard Matz. (se) (Entered: 08/07/2009)
08/07/2009	<u>44</u>	CERTIFICATION AND NOTICE of Interested Parties filed by DEFENDANTS Sydney Funding and Realty Inc, Sidney Tran, Nexus Escrow Inc, John Nguyen, identifying Paul Nguyen – Plaintiff, Laura Nguyen – Plaintiff, Chase Bank USA, NA – Defendant, First American Loanstar Trustee Services – Defendant, Sydney Funding and Realty, Inc. – Defendant, Sidney Tran – Defendant, Nexus Escrow, Inc. – Defendant, John Nguyen – Defendant, Joseph Son Cao Tran – Defendant, Realty Savers, Inc. – Defendant, Nguyen Paul Tuan – Defendant. (Kaufman, Martin) (Entered: 08/07/2009)
08/07/2009	<u>50</u>	NOTICE OF DISMISSAL filed by plaintiffs Laura Nguyen, John Nguyen pursuant to FRCP 41a(1) as to Realty Savers Inc, Paul Tuan Nguyen. (se) Modified on 8/12/2009 (se). (Entered: 08/12/2009)
08/10/2009	<u>46</u>	NOTICE OF MOTION AND First MOTION to Dismiss Complaint filed by defendant Joseph Son Cao Tran. Motion set for hearing on 10/19/2009 at 10:00 AM before Judge A. Howard Matz. (Attachments: # <u>1</u> Motion to Dismiss 12b6)(Marsh, Kermit) (Entered: 08/10/2009)
08/10/2009	<u>47</u>	NOTICE property value obtained from Chase Bank website for Property 16141 Quartz Street, Westminster, CA 92683 pursuant to court order on 8/3/09 filed by plaintiff Paul Nguyen. (se) (Entered: 08/11/2009)
08/10/2009	<u>48</u>	NOTICE of declaration of plaintiff Laura Nguyen in support of Preliminary Injunction filed by PLAINTIFF Paul Nguyen. (se) (Entered: 08/11/2009)
08/11/2009	<u>49</u>	NOTICE OF DOCUMENT DISCREPANCIES AND ORDER by Judge A. Howard Matz ordering that the Notice of Dismissal be filed and processed. (kbr) (Entered: 08/12/2009)
08/14/2009	<u>51</u>	MINUTES IN CHAMBERS by Judge A. Howard Matz: On 8/3/2009, this Court granted a Preliminary Injunction enjoining the foreclosure and sale of Plaintiff home <u>45</u> . The Court finds that this evidence is sufficient to show that no bond is necessary and that Defendants are unlikely to suffer irreparable injury as a result of the preliminary injunction. (jp) (Entered: 08/17/2009)
08/28/2009	<u>52</u>	MINUTES OF IN CHAMBERS ORDER held before Judge A. Howard Matz: re: Minutes of In Chambers <u>36</u> and Order on Request to Strike, Motion <u>45</u> . The Court intends to formally lift the preliminary injunction by September 3, 2009 unless Plaintiffs show cause in writing by noon on that day either that they have satisfied

		the tender condition, or why they should not be required to satisfy that condition. (kbr) (Entered: 08/31/2009)
08/28/2009	<u>53</u>	MINUTES IN CHAMBERS (No Proceedings Held) by Judge A. Howard Matz: As of today, this Court has no record that Plaintiffs filed any papers on or before August 24, 2009 showing that they can tender the loan proceeds. The Court therefore intends to formally lift the preliminary injunction by September 3, 2009 unless Plaintiffs show cause in writing by noon on that day either that they have satisfied the tender condition, or why they should not be required to satisfy that condition. See minute order for further details. (ca) (Entered: 08/31/2009)
09/02/2009	<u>54</u>	REPLY opposition EX PARTE APPLICATION for Temporary Restraining Order as to -- EX PARTE APPLICATION for Order to Show Cause re: -- <u>5</u> filed by Defendant Chase Bank USA, N.A.. (Yoo, S) (Entered: 09/02/2009)
09/02/2009	<u>56</u>	PLAINTIFFS SHOWING that they can meet the tender requirement Pursuant to Court Order on 8/3/2009, Plaintiff Laura Nguyen Declaration in support thereof. (jp) (Entered: 09/03/2009)
09/03/2009	<u>55</u>	MINUTES OF IN CHAMBERS ORDER held before Judge A. Howard Matz re Minutes of In Chambers Order <u>36</u> , Order <u>45</u> : Defendants' responses due by 11/9/2009, Plaintiffs' replies due by 9/14/2009. (se) (Entered: 09/03/2009)
09/09/2009	<u>57</u>	REPLY Defendants' Reply to Plaintiffs' Showing That They Can Meet the Tender Requirement Pursuant to Court Order of Conditional Preliminary Injunction EX PARTE APPLICATION for Temporary Restraining Order as to -- EX PARTE APPLICATION for Order to Show Cause re: -- <u>5</u> filed by Defendants Chase Bank USA, N.A., Chase Home Finance, LLC. (Yoo, S) (Entered: 09/09/2009)
09/09/2009	<u>58</u>	REQUEST FOR JUDICIAL NOTICE <i>in Support of Defendants' Reply to Plaintiffs' Showing That They Can Meet the Tender Requirement</i> filed by Defendants Chase Bank USA, N.A., Chase Home Finance, LLC. (Yoo, S) (Entered: 09/09/2009)
09/14/2009	<u>59</u>	NOTICE of Handwriting Expert's Opinion in Support of TRO and OSC re Preliminary Injunction filed by plaintiffs Paul Nguyen, Laura Nguyen. (se) (Entered: 09/15/2009)
09/14/2009	<u>60</u>	PLAINTIFFS' EXPERT DESIGNATION Filed filed by Plaintiffs Paul Nguyen, Laura Nguyen. (se) (Entered: 09/15/2009)
09/14/2009	<u>61</u>	PLAINTIFFS' REPLY to Defendant's Reply (Motion related) <u>57</u> to Plaintiffs' Tender Ability pursuant to court order on 9/3/09 filed by Plaintiffs Paul Nguyen, Laura Nguyen. (se) (Entered: 09/15/2009)
09/15/2009	<u>62</u>	MINUTES OF IN CHAMBERS ORDER held before Judge A. Howard Matz : On August 28, 2009 the Court ordered the parties to file briefs on Plaintiffs ability to tender the proceeds of the loan pursuant to the Truth in Lending Act (TILA). Plaintiffs raise in their reply brief the theory that they are not required to tender the proceeds of the loan because Defendants failed to satisfy their obligations under 15 U.S.C. § 1635(b). Plaintiffs also asserted that they could meet the tender requirements based on their equity in the subject property. The Court ORDERS Chase to file a surreply not to exceed ten pages, addressing only these two issues, by not later than September 18, 2009. The brief shall be addressed to the relevant law, and shall not raise any new factual issues. (se) (Entered: 09/15/2009)
09/18/2009	<u>63</u>	REPLY Defendants' Surreply to Plaintiffs' Showing That They Can Meet The Tender Requirement Pursuant to Court Order of Contitional Preliminary Injunction filed by Defendants Chase Bank USA, N.A., Chase Home Finance, LLC. (Yoo, S) (Entered: 09/18/2009)
09/23/2009	<u>64</u>	APPLICATION for Default Judgment against defendant First American Loanstar Trustee Services filed by plaintiffs Paul Nguyen, Laura Nguyen. (se) (Entered: 09/24/2009)
09/23/2009	<u>65</u>	APPLICATION for Default Judgment against defendant Joseph Son Cao Tran filed by plaintiffs Paul Nguyen, Laura Nguyen. (se) (Entered: 09/24/2009)



09/23/2009	<u>66</u>	Additional Authorities in Support of Preliminary Injunction filed by plaintiffs Paul Nguyen, Laura Nguyen. Re: Minutes of In Chambers Order <u>51</u> . (se) (Entered: 09/24/2009)
09/24/2009	<u>67</u>	STIPULATION to Dismiss Case filed by DEFENDANTS Sydney Funding and Realty Inc, Sidney Tran, Nexus Escrow Inc, John Nguyen. (Attachments: # <u>1</u> Proposed Order FOR VOLUNTARY DISMISSAL)(Kaufman, Martin) (Entered: 09/24/2009)
09/24/2009	<u>68</u>	ORDER FOR VOLUNTARY DISMISSAL by Judge A. Howard Matz, re Stipulation <u>67</u> of the parties, and good cause appearing therefore, that pursuant to FRCP 41(a)(1)(A)(ii), all Plaintiffs claims as to Defendants Sydney Funding and Realty Inc; Sidney Tran; Nexus Escrow Inc and John Nguyen be dismissed in their entirety, with prejudice. (jp) (Entered: 09/25/2009)
09/25/2009	<u>69</u>	MINUTES (IN CHAMBERS): ORDER by Judge A. Howard Matz: denying <u>64</u> Application for Default Judgment; denying <u>65</u> Application for Default Judgment. (se) (Entered: 09/25/2009)
09/25/2009	<u>70</u>	MINUTES OF IN CHAMBERS ORDER held before Judge A. Howard Matz re Order on Request to Strike, Motion Hearing <u>45</u> : the Court declines to lift the preliminary injunction. See document for specific information. (se) (Entered: 09/25/2009)
10/08/2009	<u>71</u>	REPLY re: Non-Opposition MOTION to Dismiss First Amended Complaint for Failure to State a Claim Upon Which Relief Can Be Granted (FRCP 12(B)(6)) MOTION to Dismiss First Amended Complaint for Failure to State a Claim Upon Which Relief Can Be Granted (FRCP 12(B)(6)) <u>34</u> filed by Defendants Chase Bank USA, N.A., Chase Home Finance, LLC. (Yoo, S) (Entered: 10/08/2009)
10/09/2009	<u>72</u>	REPLY reply re: non-opposition MOTION to Dismiss First Amended Complaint for Failure to State a Claim Upon Which Relief Can Be Granted (FRCP 12(B)(6)) MOTION to Dismiss First Amended Complaint for Failure to State a Claim Upon Which Relief Can Be Granted (FRCP 12(B)(6)) <u>34</u> filed by Defendants Chase Bank USA, N.A., Chase Home Finance, LLC. (Yoo, S) (Entered: 10/09/2009)
10/12/2009	<u>73</u>	REPLY First MOTION to Dismiss Complaint <u>46</u> Defendant Joseph Son Cao Tran's Reply Re: No Opposition by Plaintiff Laura Nguyen to Motion to Dismiss First Amended Complaint for Failure to State a Claim; Decl. of Kermit D. Marsh; Proof of Service filed by Defendant Joseph Son Cao Tran. (Marsh, Kermit) (Entered: 10/12/2009)
10/12/2009	<u>74</u>	REPLY First MOTION to Dismiss Complaint <u>46</u> Defendant Joseph Son Cao Tran's Reply Re: No Opposition by Plaintiff Paul Nguyen to Motion to Dismiss Complaint for Failure to State a Claim; Decl. of Kermit D. Marsh; Proof of Service filed by Defendant Joseph Son Cao Tran. (Marsh, Kermit) (Entered: 10/12/2009)
10/13/2009	<u>77</u>	OPPOSITION to Defendants MOTION to Dismiss First Amended Complaint for Failure to State a Claim Upon Which Relief Can Be Granted (FRCP 12(B)(6)) <u>34</u> filed by Plaintiffs Paul Nguyen, Laura Nguyen. (jp) (Entered: 10/16/2009)
10/14/2009	<u>75</u>	MINUTES IN CHAMBERS by Judge A. Howard Matz: Given the longstanding principle that claims should be resolved on the merits where possible, the Court will accept Plaintiffs' late filing of their opposition to Defendants Chase Bank USA, N.A. and Chase Home Finance LLC's (collectively Defendants) Motion to Dismiss the First Amended Complaint. The Court grants Defendants until October 20, 2009 to file a reply and will be taking the matter under submission after Defendants reply is filed. (jp) (Entered: 10/15/2009)
10/15/2009	<u>76</u>	MINUTES (IN CHAMBERS) by Judge A. Howard Matz: On the Court's own motion, the Court hereby takes OFF-CALENDAR and UNDER SUBMISSION the Motion to Dismiss Complaint Filed by Defendant Joseph Son Cao Tran <u>46</u> . The parties will be notified if a hearing is necessary. (jp) (Entered: 10/15/2009)
10/20/2009	<u>78</u>	REPLY Support MOTION to Dismiss First Amended Complaint for Failure to State a Claim Upon Which Relief Can Be Granted (FRCP 12(B)(6)) MOTION to Dismiss First Amended Complaint for Failure to State a Claim Upon Which Relief

		Can Be Granted (FRCP 12(B)(6)) <u>34</u> <i>Supplemental Reply</i> filed by Defendants Chase Bank USA, N.A., Chase Home Finance, LLC. (Yoo, S) (Entered: 10/20/2009)
10/20/2009	<u>79</u>	NOTICE OF MOTION AND MOTION for Default Judgment against defendant First American Loanstar Trustee Services (FRCP & Local Rule, Rule 55); Declaration in Support (FRCP 55(b)(2)) filed by plaintiffs Paul Nguyen, Laura Nguyen. Motion set for hearing on 11/16/2009 at 10:00 AM before Judge A. Howard Matz. (jp) (Entered: 10/22/2009)
10/20/2009	<u>80</u>	STIPULATION regarding Default and Motion to Dismiss filed by plaintiffs Paul Nguyen, Laura Nguyen. (jp) (Entered: 10/22/2009)
10/20/2009	<u>81</u>	NOTICE OF MOTION AND MOTION for Order to Show Cause re: Why defendants Chase Bank USA, NA, Chase Home Finance LLC and First American Loanstar Trustee Services Should not be held in Contempt in violating Preliminary Injunction Order; Memorandum of Points and Authorities in support thereof, filed by plaintiffs Paul Nguyen, Laura Nguyen. Motion set for hearing on 11/16/2009 at 10:00 AM before Judge A. Howard Matz. (jp) (Entered: 10/22/2009)
10/29/2009	<u>82</u>	REPORT of Unilateral 16(b) Report filed by Defendants Chase Bank USA, N.A., Chase Home Finance, LLC. (Yoo, S) (Entered: 10/29/2009)
10/30/2009	<u>83</u>	JOINT REPORT Rule 26(f); estimated length of trial 5 days, filed by Plaintiffs Paul Nguyen, Laura Nguyen. (jp) (Entered: 11/02/2009)
11/02/2009	<u>84</u>	APPLICATION for Relief from Entry of Default <i>Memorandum of Points and Authorities in Support; Declaration of Alfonso Perez</i> filed by Defendant First American Loanstar Trustee Services. Application set for hearing on 11/16/2009 at 10:00 AM before Judge A. Howard Matz. (Finlay, T) (Entered: 11/02/2009)
11/02/2009	<u>85</u>	DECLARATION of DeeAnn Gregory re APPLICATION for Relief from Entry of Default <i>Memorandum of Points and Authorities in Support; Declaration of Alfonso Perez</i> <u>84</u> <i>Declaration of Non-Monetary Status</i> filed by Defendant First American Loanstar Trustee Services. (Finlay, T) (Entered: 11/02/2009)
11/02/2009	<u>86</u>	opposition opposition to motion for an order to show cause re: MOTION for Order to Show Cause re: Why defendants Chase Bank USA, NA, Chase Home Finance LLC and First American Loanstar Trustee Services Should not be held in Contempt in violating Preliminary Injunction Order <u>81</u> filed by Defendants Chase Bank USA, N.A., Chase Home Finance, LLC. (Yoo, S) (Entered: 11/02/2009)
11/02/2009	<u>87</u>	OPPOSITION to APPLICATION for Relief from Entry of Default <i>Memorandum of Points and Authorities in Support; Declaration of Alfonso Perez</i> <u>84</u> <i>Opposition to Plaintiffs' Notice of Motion and Motion for Default Judgment</i> filed by Defendant First American Loanstar Trustee Services. (Finlay, T) (Entered: 11/02/2009)
11/02/2009	<u>88</u>	OPPOSITION to <i>Plaintiff's Motion for OSC re Contempt; Memorandum of Points and Authorities in Support Thereof; Declaration of Alfonso Perez</i> filed by Defendant First American Loanstar Trustee Services. (Finlay, T) (Entered: 11/02/2009)
11/02/2009	<u>89</u>	MINUTES Scheduling Conference held before Judge A. Howard Matz: Court orders Laura Nguyen to file her declaration and supporting documents by not later than 11/6/2009 or the Court will lift the current injunction. Court orders the dates as indicated on Scheduling and Case Management Order filed this date and refers this matter to Magistrate Judge Andrew J. Wistrich for settlement purposes. Defendants shall notify Magistrate Judge Wistrich immediately of the Court's referral and presumptive schedule and file a status report with this Court confirming same. At the conclusion of the mediation, plaintiff shall file another status report notifying the Court of the outcome. Court Reporter: Cindy Nirenberg. (jp) (Entered: 11/04/2009)
11/02/2009	<u>90</u>	SCHEDULING AND CASE MANAGEMENT ORDER by Judge A. Howard Matz that the Court schedule of trial and pretrial date as following: Trial date (Jury) (Estimated length 4 days) set for 9/7/2010 at 8:00 AM. File Findings of Fact and Conclusions of Law and Summaries of Direct Testimony N/A. Final Pretrial Conference; Hearing on Motions in Limine; File Agreed Upon Set of Jury

		Instructions and Verdict Forms and Joint Statement re Disputed Instructions and Verdict Forms; File Proposed Voir Dire Qs and Agreed-to Statement of Case at 11:00 AM on 8/23/2010. Lodge Pretrial Conference Order; Memo of Contentions of Fact and Law; Exhibit List; Witness Lists; Status Report re Settlement due by 8/9/2010. Last day for hand-serving Motions in Limine on 7/26/2010; Last Day to Meet Before Final Pretrial Conference (L.R. 16-2) 7/12/2010; Last day for hearing Motions at 10:00 AM on 7/12/2010. Last day for hand-serving motions and filing (other than Motions in Limine) due 6/7/2010. Non-expert Discovery cut-off 5/24/2010. ADDITIONAL MATTERS TO BE DETERMINED AT SCHEDULING CONFERENCE: L.R. 16-15 Settlement Choice: (1) USMJ: Expert discovery cut-off on 7/26/2010; Rebuttal Expert Witness Disclosure 6/28/2010; Opening Expert Witness Disclosure [See F.R.Civ.P. 26(a)(2)] 6/1/2010; Last date to conduct settlement conference is 5/31/2010. Last day to amend pleadings or add parties due by 1/11/2010. (jp) (Entered: 11/04/2009)
11/06/2009	<u>91</u>	DECLARATION Re Forgery of Deed of Trust and Non-Receipt of Notice of Right of Rescind, pursuant to this Court Order at the Status Conference on 11/2/2009 <u>89</u> filed by Plaintiffs Paul Nguyen, Laura Nguyen. (jp) (Entered: 11/06/2009)
11/09/2009	<u>92</u>	MINUTES (IN CHAMBERS) by Judge A. Howard Matz: the Court GRANTS in part and DENIES in part Motion to Dismiss Plaintiffs' First Amended Complaint <u>34</u> . Specifically, the Court GRANTS Defendants' motion to dismiss claim one for fraud, DENIES Defendants' motion to dismiss claim two for fraud by forgery, GRANTS Defendants' motion to dismiss claim three for forgery, DENIES Defendants' motion to dismiss claim four insofar as it states a claim for rescission, GRANTS Defendants' motions to dismiss claims five and six for RESPA violations, GRANTS Defendants motion to dismiss claim seven for rescission, DENIES Defendants' motion to dismiss claim eight for violations of California's UCL but only insofar as their claim is predicated on any of Plaintiffs' surviving claims, and GRANTS Defendants' motion to dismiss claim nine for declaratory relief. Any amended complaint must be filed by not later than 11/23/2009. No hearing is necessary. FRCP 78; LR 7-15. This order is not intended for publication or for inclusion in the LEXIS and Westlaw databases. (jp) (Entered: 11/09/2009)
11/16/2009	<u>93</u>	MINUTES Motion Hearing held before Judge A. Howard Matz: Court hears oral argument and DENIES Plaintiffs Motion for Default Judgment Against Defendant First American Loanstar Trustee Services <u>79</u> ; Court DENIES Plaintiffs Motion for Order to Show Cause <u>81</u> ; Court GRANTS Defendant First American Loanstar Trustee Services Application for Relief From entry of Default <u>84</u> . Defendant first American Loanstar Trustee Services shall file an Answer to the Complaint. Defendant Chase Bank USA, N.A. shall file, not later than 11/20/2009, a proposed Order cancelling all foreclosure proceedings against plaintiffs in this case, pending resolution of this case. Court Reporter: Cindy Nirenberg. (jp) (Entered: 11/16/2009)
11/17/2009	<u>94</u>	ORDER by Judge A. Howard Matz DENYING MOTION for Order to Show Cause Why defendants Chase Bank USA, NA, Chase Home Finance LLC and First American Loanstar Trustee Services Should not be held in Contempt in violating Preliminary Injunction Order <u>81</u> . No sanctions are awarded against Defendants. However, the Court ORDERS Defendants to cancel the subject foreclosure sale and any other foreclosure proceedings related to the Subject Property, pending resolution of this case. (jp) (Entered: 11/18/2009)
11/20/2009	<u>95</u>	ANSWER AND AFFIRMATIVE DEFENSES filed by Defendant First American Loanstar Trustee Services.(Finlay, T) (Entered: 11/20/2009)
11/23/2009	<u>96</u>	SECOND VERIFIED AMENDED COMPLAINT against defendants Joseph Son Cao Tran, Chase Bank USA, N.A., Chase Home Finance, LLC, First American Loanstar Trustee Services; Party Fidelity National Title Company terminated; amending First Verified Amended Complaint <u>13</u> with Jury Demand, filed by Plaintiffs Paul Nguyen, Laura Nguyen. (Attachments: # <u>1</u> 20 Days Summons Issued). (jp) (Entered: 11/24/2009)
11/23/2009		20 DAY Summons Issued re Second Verified Amended Complaint <u>96</u> as to Defendants Joseph Son Cao Tran, Chase Bank USA, N.A., Chase Home Finance,

		LLC, First American Loanstar Trustee Services. (jp) (Entered: 11/24/2009)
12/16/2009	<u>97</u>	ANSWER to Amended Complaint, <u>96</u> Answer and Affirmative Defenses of Defendant First American Loanstar Trustee Services, LLC to Plaintiff's Second Amended Complaint filed by Defendant First American Loanstar Trustee Services.(Rovira, Christina) (Entered: 12/16/2009)
12/17/2009	<u>98</u>	ANSWER to Amended Complaint, <u>96</u> filed by defendants Chase Bank USA, N.A., Chase Home Finance, LLC.(Yoo, S) (Entered: 12/17/2009)
01/04/2010	<u>99</u>	NOTICE OF MOTION AND MOTION for Order to Show Cause Why Defendants Chase Bank USA NA, Chase Home Finance LLC and First American Loanstar Trustee Services Should Not Be Held in Contempt In Violating Preliminary Injunction Order (45); and Order Cancelling all Foreclosure Proceedings (93) filed by plaintiffs Paul Nguyen, Laura Nguyen. Motion set for hearing on 2/1/2010 at 10:00 AM before Judge A. Howard Matz. (se) (Entered: 01/06/2010)
01/04/2010	<u>100</u>	DECLARATION of Laura Nguyen in support of MOTION for Order to Show Cause re: Why Defendants Chase Bank USA NA, Chase Home Finance LLC and First American Loanstar Trustee Services Should Not Be Held in Contempt In Violating Preliminary Injunction Order (45); and Order Cancelling all Foreclosure MOTION for Order to Show Cause re: Why Defendants Chase Bank USA NA, Chase Home Finance LLC and First American Loanstar Trustee Services Should Not Be Held in Contempt In Violating Preliminary Injunction Order (45); and Order Cancelling all Foreclosure <u>99</u> filed by Plaintiff Laura Nguyen. (se) (Entered: 01/06/2010)
01/04/2010	<u>101</u>	DECLARATION of Paul Nguyen in support of MOTION for Order to Show Cause Why Defendants Chase Bank USA NA, Chase Home Finance LLC and First American Loanstar Trustee Services Should Not Be Held in Contempt In Violating Preliminary Injunction Order (45); and Order Cancelling all Foreclosure MOTION for Order to Show Cause <u>99</u> filed by Plaintiff Paul Nguyen. (se) (Entered: 01/06/2010)
01/04/2010	<u>102</u>	REQUEST FOR JUDICIAL NOTICE re MOTION for Order to Show Cause Why Defendants Chase Bank USA NA, Chase Home Finance LLC and First American Loanstar Trustee Services Should Not Be Held in Contempt In Violating Preliminary Injunction Order (45); and Order Cancelling all Foreclosure <u>99</u> filed by plaintiffs Paul Nguyen, Laura Nguyen. (se) (Entered: 01/06/2010)
01/15/2010	<u>103</u>	OPPOSITION opposition re: MOTION for Order to Show Cause re: Why Defendants Chase Bank USA NA, Chase Home Finance LLC and First American Loanstar Trustee Services Should Not Be Held in Contempt In Violating Preliminary Injunction Order (45); and Order Cancelling all Foreclosure MOTION for Order to Show Cause re: Why Defendants Chase Bank USA NA, Chase Home Finance LLC and First American Loanstar Trustee Services Should Not Be Held in Contempt In Violating Preliminary Injunction Order (45); and Order Cancelling all Foreclosure <u>99</u> filed by Defendants Chase Bank USA, N.A., Chase Home Finance, LLC. (Yoo, S) (Entered: 01/15/2010)
01/15/2010	<u>104</u>	Opposition opposition re: MOTION for Order to Show Cause re: Why Defendants Chase Bank USA NA, Chase Home Finance LLC and First American Loanstar Trustee Services Should Not Be Held in Contempt In Violating Preliminary Injunction Order (45); and Order Cancelling all Foreclosure MOTION for Order to Show Cause re: Why Defendants Chase Bank USA NA, Chase Home Finance LLC and First American Loanstar Trustee Services Should Not Be Held in Contempt In Violating Preliminary Injunction Order (45); and Order Cancelling all Foreclosure <u>99</u> Opposition to Plaintiff's Motion for OSC Re Contempt; Memorandum of Points and Authorities in Support Thereof; Declaration of Deean Gregory filed by Defendant First American Loanstar Trustee Services. (Rovira, Christina) (Entered: 01/15/2010)
01/26/2010	<u>105</u>	MINUTES (IN CHAMBERS) by Judge A. Howard Matz: This matter is before the Court on Plaintiffs' Motion for an Order to Show Cause why Defendants Should not be Held in Contempt. For the reasons stated below (see attached Minute order for further information), the Court DENIES Plaintiff's Request for an Order Holding Defendants in contempt <u>99</u> . However, if in the future any Defendat,

		especially Loanstar, violates the Court's 8/3/2009 and 11/17/2009 Orders, the court will be readily inclined to find the basis for a contempt citation and to impose such sanctions. No hearing is necessary. Fed. R. Civ. P. 78; L. R. 7-15. This Order is not intended for publication or for inclusion in the databases of Westlaw or LEXIS. (jp) (Entered: 01/27/2010)
08/16/2010	<u>106</u>	MINUTES IN CHAMBERS by Judge A. Howard Matz: Plaintiffs are hereby ORDERED TO SHOW CAUSE in writing, by not later than noon on 8/20/2010, why this case should not be dismissed for lack of prosecution. See Local Rule 12. Should Plaintiffs fail to timely show cause, the Court may dismiss this case without prejudice. (jp) (Entered: 08/16/2010)
08/16/2010	<u>107</u>	PLAINTIFFS' FINAL PRETRIAL CONFERENCE STATEMENT (se) (Entered: 08/16/2010)
08/17/2010	<u>108</u>	RESPONSE filed by Plaintiffs Laura Nguyen, Paul Nguyen to Minutes of In Chambers Order to Show Cause re Failure to Prosecute <u>106</u> . (se) (Entered: 08/18/2010)
08/17/2010	<u>109</u>	MINUTE ORDER IN CHAMBERS by Judge A. Howard Matz: Court DISCHARGES its 8/16/10 OSC re Minutes of In Chambers Order <u>106</u> . Court ORDERS Defendants Chase Bank USA, N.A. and Chase Home Finance, LLC to SHOW CAUSE in writing by not later than August 20 2010, at 9:00 a.m., with courtesy copies delivered to chambers, why default judgment should not be entered against them. (se) (Entered: 08/19/2010)
08/20/2010	<u>110</u>	DECLARATION re Minutes of In Chambers Order/Directive – no proceeding held, Terminate Deadlines, Set Deadlines,,, <u>109 Declaration of S. Christopher Yoo in Response to Order to Show Cause re: Why Default Judgment Should Not Be Entered Against Defendants Chase Home Finance LLC and Chase Bank, USA, N.A.</u> filed by Defendants Chase Bank USA, N.A., Chase Home Finance, LLC. (Yoo, S) (Entered: 08/20/2010)
08/20/2010	<u>111</u>	STIPULATION to Dismiss defendant Joseph Son Cao Tran filed by defendant Joseph Son Cao Tran.(Marsh, Kermit) (Entered: 08/20/2010)
08/20/2010	<u>112</u>	STIPULATION to Dismiss defendant Joseph Son Cao Tran filed by defendant Joseph Son Cao Tran. (Attachments: # <u>1</u> Proposed Order)(Marsh, Kermit) (Entered: 08/20/2010)
08/20/2010	<u>114</u>	DECLARATION in Re Declaration of S. Christopher Yoo in Response to Order to Show Cause re why Default Judgment should not be entered against defendants Chase Home Finance LLC and Chase Bank USA N.A <u>109</u> filed by Plaintiffs Laura Nguyen, Paul Nguyen. (jp) (Entered: 08/23/2010)
08/23/2010	<u>113</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: Stipulation to Dismiss Party <u>111</u> . The following error(s) was found: Defendant Joseph Son Cao Tran was terminated, per DE 111. In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. You need not take any action in response to this notice unless and until the court directs you to do so. (se) (Entered: 08/23/2010)
08/23/2010	<u>115</u>	MINUTES OF Final Pretrial Conference held before Judge A. Howard Matz: For reasons and findings stated on the record, the Court will enter default judgment against defendants Chase Home Finance, LLC and Chase Bank USA, N.A. for rescission of the loan, voidance of the deed of trust, quiet title, and possibly forfeiture of the loan. Plaintiffs shall also be entitled to costs. Plaintiffs must prepare and submit a proposed judgment by not later than 8/30/2010. Defendants may respond to the proposed judgment by not later than 9/1/2010 and any reply thereto must be filed by not later than 9/3/2010. If the parties are unable to agree to a proposed judgment, then plaintiffs must file a motion for entry of judgment by not later than 9/13/2010. The Court will hold in abeyance all claims against defendant First American Loanstar. The Court has made a careful and considered determination of its decision to enter judgment and will not be receptive to the filing of a motion for reconsideration. Court Reporter: Cindy Nirenberg. (jp) (Entered: 08/24/2010)

08/25/2010	<u>116</u>	NOTICE of Change of Attorney Information for attorney T Robert Finlay counsel for Defendant First American Loanstar Trustee Services.Christina D. Rovira is no longer attorney of record for the aforementioned party in this case for the reason indicated in the G-06 Notice. Filed by Defendant First American Loanstar Trustee Services (Finlay, T) (Entered: 08/25/2010)
09/01/2010	<u>117</u>	***THIS DOCUMENT IS WITHDRAWN PURSUANT TO DE 119*** Objection to [Proposed] Order of Default Judgment and Other Equitable Relief Against Chase Bank USA, N.A.; Chase Home Finance, LLC and First American Loanstar Trustee Services re: APPLICATION for Default Judgment against defendant First American Loanstar Trustee Services <u>64</u> , MOTION for Order to Show Cause re: Why Defendants Chase Bank USA NA, Chase Home Finance LLC and First American Loanstar Trustee Services Should Not Be Held in Contempt In Violating Preliminary Injunction Order (45); and Order Cancelling all Foreclosure MOTION for Order to Show Cause re: Why Defendants Chase Bank USA NA, Chase Home Finance LLC and First American Loanstar Trustee Services Should Not Be Held in Contempt In Violating Preliminary Injunction Order (45); and Order Cancelling all Foreclosure <u>99</u> filed by Defendants Chase Bank USA, N.A., Chase Home Finance, LLC. (Yoo, S) Modified on 9/2/2010 (se). (Entered: 09/01/2010)
09/01/2010	<u>118</u>	OBJECTIONS to [Proposed] Order of Default Judgment and other Equitable Relief Against Chase Bank USA, N.A.; Chase Home Finance, LLC and First American Loanstar Trustee Services; Joinder in Objection filed by Chase Bank USA, N.A. and Chase Home Finance LLC filed by Defendant First American Loanstar Trustee Services. (Neff, Nicole) (Entered: 09/01/2010)
09/01/2010	<u>119</u>	Notice of Withdrawal of Objection/Opposition (Motion related), Objection/Opposition (Motion related), Objection/Opposition (Motion related), Objection/Opposition (Motion related) <u>117</u> filed by Defendants Chase Bank USA, N.A., Chase Home Finance, LLC. (Yoo, S) (Entered: 09/01/2010)
09/01/2010	<u>120</u>	OBJECTIONS to [proposed] order of default judgment and other equitable relief against Chase Bank USA, N.A and First American Loanstar Trustee Services filed by Defendants Chase Bank USA, N.A., Chase Home Finance, LLC. (Yoo, S) (Entered: 09/01/2010)
09/03/2010	<u>121</u>	REPLY to Objections to [proposed] order of default judgment and other equitable relief against Chase Bank USA, N.A and First American Loanstar Trustee Services <u>120</u> filed by Plaintiff Paul Nguyen. (jp) (Entered: 09/03/2010)
09/03/2010	<u>122</u>	REPLY filed by Plaintiff Laura Nguyen to Objection to (Proposed) Order of Default Judgment and Other Equitable Relief. (se) (Entered: 09/03/2010)
09/13/2010	<u>123</u>	NOTICE OF PLAINTIFFS' MOTION AND MOTION for Entry of Default Judgment filed by plaintiffs Laura Nguyen, Paul Nguyen. Motion set for hearing on 10/4/2010 at 10:00 AM before Judge A. Howard Matz. (jp) (Entered: 09/14/2010)
09/13/2010	<u>124</u>	MEMORANDUM OF POINTS AND AUTHORITIES in Support of Plaintiffs MOTION for Entry of Default Judgment <u>123</u> filed by Plaintiffs Laura Nguyen, Paul Nguyen. (jp) (Entered: 09/14/2010)
09/14/2010	<u>126</u>	MINUTES (IN CHAMBERS) by Judge A. Howard Matz: The Court has reviewed the objections of the "Chase Defendants" and of First American Loanstar Trustee Services, LLC to the proposed Order of Default Judgment and overrules most of those objections. The Court has therefore separately entered an Order of Default Judgment and Judgment against those parties. Consequently, it is unnecessary for Defendants to respond to Plaintiffs Motion for Entry Default Judgment <u>123</u> and that motion is DENIED as moot. (jp) (Entered: 09/15/2010)
09/15/2010	<u>125</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: MOTION for Default Judgment <u>123</u> . The following error(s) was found: Hearing information is not timely. In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. You need not take any action in response to this notice unless and until the court directs you to do so. (se) (Entered: 09/15/2010)

09/15/2010	<u>127</u>	ORDER OF DEFAULT JUDGMENT by Judge A. Howard Matz: Therefore, it is ORDERED, ADJUDGED and DECREED as follows: This Court has jurisdiction over the subject matter of this case and over the Defendants. Default judgment is hereby entered against Chase Bank USA, N.A. and Chase Home Finance, LLC and in favor of Plaintiffs Paul Nguyen and Laura Nguyen on all claims in Plaintiffs' Second Amended Complaint. IT IS THEREFORE ORDERED that the Deed of Trust recorded with Orange County Recorder as instrument No. 2007000731120 on 12/12/2007 is wholly voided as to plaintiff Laura Nguyen. (See Default Judgment for further information). FURTHER ORDERED that Plaintiffs are awarded their costs of suit, to be paid by Defendants Chase Bank USA, N.A. and Chase Home Finance, LLC, in an amount to be determined by the Clerk of the Court. (MD JS-6. Case Terminated ) (jp) (Entered: 09/15/2010)
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