

















Negative Treatment

Negative Citing References (152)

The KeyCited document has been negatively referenced by the following events or decisions in other litigation or proceedings:

Treatment	Title	Date	Type	Depth	Headnote(s)
Rejected by	 1. Mendoza v. JPMorgan Chase Bank, N.A.   <p>175 Cal.Rptr.3d 880 , Cal.App. 3 Dist. REAL PROPERTY - Mortgages and Deeds of Trust. Mortgagor was not prejudiced by alleged improprieties in the securitization of her loan as required to challenge nonjudicial...</p>	July 22, 2014	Case		<div style="border: 1px solid black; padding: 2px; display: inline-block;">8</div> <div style="border: 1px solid black; padding: 2px; display: inline-block;">12</div> Cal.Rptr.3d
Rejected by	 2. Bowen v. Bank of New York Mellon <p>2014 WL 6673272 , Cal.App. 4 Dist. This action arises out a real estate loan made to Richard Louis Bowen on a property he owned in Calexico, California. Bowen defaulted on the loan and the property was sold in...</p>	Nov. 25, 2014	Case		<div style="border: 1px solid black; padding: 2px; display: inline-block;">9</div> Cal.Rptr.3d
Rejected by	 3. Patinio v. EMC Mortgage, LLC  <p>2015 WL 2156649 , Cal.App. 1 Dist. Plaintiff Dangel Patinio appeals from a judgment dismissing his first amended complaint against defendants JPMorgan Chase Bank, N.A. (Chase), EMC Mortgage, LLC (EMC), and Mortgage...</p>	May 08, 2015	Case		<div style="border: 1px solid black; padding: 2px; display: inline-block;">9</div> Cal.Rptr.3d
Rejected by	4. Deutsche Bank Nat. Trust Co. v. Frazier <p>2015 WL 3484846 , S.D.Miss. BEFORE THE COURT is the [9] Motion to Dismiss filed by Defendants Johnny Frazier and Deni May Frazier pursuant to Federal Rule of Civil Procedure 12(b)(6). The Court has considered...</p>	June 02, 2015	Case		—
Rejected by	 5. Gehron v. Bank of America, N.A. <p>2015 WL 7424859 , Cal.App. 4 Dist. After plaintiffs and appellants George Gehron, Cheryl Gehron, and Gehron Express Family Trust defaulted on a home mortgage, foreclosure proceedings were instituted and the property...</p>	Nov. 23, 2015	Case		<div style="border: 1px solid black; padding: 2px; display: inline-block;">8</div> <div style="border: 1px solid black; padding: 2px; display: inline-block;">12</div> Cal.Rptr.3d
Rejected by	 6. Trapp v. U.S. Bank National Associaton <div style="background-color: black; color: white; padding: 2px; font-weight: bold; font-size: small;">MOST NEGATIVE</div> <p>2015 WL 9273298 , Cal.App. 4 Dist. After plaintiff and appellant Bennie G. Trapp, Sr. (Senior) defaulted on a home mortgage, foreclosure proceedings were instituted and the property was sold at a trustee's sale....</p>	Dec. 18, 2015	Case		<div style="border: 1px solid black; padding: 2px; display: inline-block;">8</div> <div style="border: 1px solid black; padding: 2px; display: inline-block;">12</div> Cal.Rptr.3d
Disagreed With by	 7. In re Sandri <p>501 B.R. 369 , Bkrtcy.N.D.Cal. REAL PROPERTY - Mortgages and Deeds of Trust. Debtor could not show prejudice required for her to</p>	Nov. 04, 2013	Case		<div style="border: 1px solid black; padding: 2px; display: inline-block;">8</div> <div style="border: 1px solid black; padding: 2px; display: inline-block;">9</div> <div style="border: 1px solid black; padding: 2px; display: inline-block;">12</div> Cal.Rptr.3d

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Treatment	Title	Date	Type	Depth	Headnote(s)
	challenge assignments of note and deed of trust under California law.#				
Disagreed With by	8. Apostol v. CitiMortgage, Inc. 2013 WL 6328256 , N.D.Cal. Currently before the Court are defendants' motions to dismiss. Having considered the papers submitted, and for good cause shown, the Court hereby GRANTS defendants' motions to...	Nov. 21, 2013	Case		—
Disagreed With by	9. Yvanova v. New Century Mortgage Corporation 172 Cal.Rptr.3d 104 , Cal.App. 2 Dist. REAL PROPERTY - Mortgages and Deeds of Trust. Borrower lacked standing to challenge validity of assignment of deed of trust.#	Apr. 25, 2014	Case		8 12 Cal.Rptr.3d
Disagreed With by	10. Keshtgar v. U.S. Bank, N.A. 172 Cal.Rptr.3d 818 , Cal.App. 2 Dist. REAL PROPERTY - Mortgages and Deeds of Trust. Borrower lacked pre-foreclosure cause of action to challenge successor trustee's authority to foreclose under deed of trust.#	June 09, 2014	Case		12 Cal.Rptr.3d
Disagreed With by	11. Moran v. GMAC Mortgage, LLC 2014 WL 2768871	June 18, 2014	\$\$.escapeXml(\$reference.contentType.localizedProperty.t		
Disagreed With by	12. Baldwin v. JPMorgan Chase Bank, N.A. 2014 WL 5035289 , Cal.App. 2 Dist. Can the tender of a check drawn on an individual and postdated 50 years pay off a home loan? The trial court ruled it could not, and we agree. Plaintiff Judith L. Baldwin...	Oct. 09, 2014	Case		8 Cal.Rptr.3d
Disagreed With by	13. Dampf v. BAC Home Loans Servicing, L.P. 2014 WL 5369782 , Cal.App. 2 Dist. Plaintiffs Robert P. Dampf and Laura F. Dampf filed this action for intentional and negligent misrepresentation, negligence, unfair competition, wrongful foreclosure, and other...	Oct. 22, 2014	Case		8 12 Cal.Rptr.3d
Disagreed With by	14. Brooks v. Pinnacle Financial Corporation 2015 WL 5635112 , Cal.App. 2 Dist. Plaintiff Patrick Brooks (Brooks) contends that the trial court erred by sustaining the demurrers of defendants Bank of New York Mellon Trust Company, N.A. (BONY), DCB United, LLC...	Sep. 25, 2015	Case		9 Cal.Rptr.3d
Disagreed With by	15. Boyle v. Bank of America 2015 WL 5680076 , Cal.App. 3 Dist. In 2006 plaintiffs Tim and Darlene Boyle took out a mortgage loan for \$736,000. The Boyles defaulted on the loan four years later and, in an attempt to forestall foreclosure,...	Sep. 28, 2015	Case		8 12 Cal.Rptr.3d
Disagreed With by	16. Cleek v. GreenPoint Mortgage Funding, Inc. Nov. 06, 2015	Nov. 06, 2015	Case		8 9 12

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Treatment	Title	Date	Type	Depth	Headnote(s)
	2015 WL 6784155 , Cal.App. 4 Dist. Plaintiff Dennis Cleek filed this lawsuit against GreenPoint Mortgage Funding, Inc. (GreenPoint); Bank of America, N.A. (Bank of America); Seterus, Inc. (Seterus); Federal...				Cal.Rptr.3d
Disagreed With by	17. Cleek v. Seterus, Inc. ¶¶ 2015 WL 6784561 , Cal.App. 4 Dist. Plaintiff Dennis Cleek filed this lawsuit against GreenPoint Mortgage Funding, Inc. (GreenPoint); Bank of America, N.A. (Bank of America); Seterus, Inc. (Seterus); Federal...	Nov. 06, 2015	Case	██████	8 9 12 Cal.Rptr.3d
Disagreed With by	18. Heier v. Wells Fargo Bank, N.A. 2015 WL 9584863 , Cal.App. 1 Dist. Cynthia Heier, as Trustee for the Cynthia S. Heier Living Trust (Heier in her individual capacity and as trustee of the trust is hereafter referred to collectively and severally as...	Dec. 31, 2015	Case	██████	9 Cal.Rptr.3d
Declined to Follow by	19. Newman v. Bank of New York Mellon 2013 WL 5603316 , E.D.Cal. This is a mortgage related case brought by Plaintiff David Newman ("Newman") against Defendants Bank of New York Mellon ("BONY"), Mortgage Electronic Recording Systems ("MERS"),...	Oct. 11, 2013	Case	██████	—
Declined to Follow by	20. Boza v. U.S. Bank Nat. Ass'n ¶¶ 2013 WL 5943160 , C.D.Cal. Andrea Keifer, Deputy Clerk. Plaintiffs, Carmen C. Boza and Luis R. Boza ("Plaintiffs"), brought this action against U.S. Bank National Association ("Defendant" or "U.S. Bank"),...	Oct. 28, 2013	Case	██████	8 9 12 Cal.Rptr.3d
Declined to Follow by	21. Subramani v. Wells Fargo Bank N.A. 2013 WL 5913789 , N.D.Cal. Now before the Court is Defendant Wells Fargo Bank N.A.'s ("Defendant") motion to dismiss Plaintiff Karthik Subramani's ("Plaintiff") first amended complaint. ECF Nos. 24...	Oct. 31, 2013	Case	██████	9 Cal.Rptr.3d
Declined to Follow by	22. Dahnken v. Wells Fargo Bank, N.A. ¶¶ 2013 WL 5979356 , N.D.Cal. Defendants' motion to dismiss and motion to strike came on for hearing before this court on November 6, 2013. Plaintiff Richard Dahnken ("plaintiff") appeared through his...	Nov. 08, 2013	Case	██████	8 12 Cal.Rptr.3d
Declined to Follow by	23. Zapata v. Wells Fargo Bank, N.A. 2013 WL 6491377 , N.D.Cal. In this foreclosure action, defendants move to dismiss the complaint for failure to state a claim. For the reasons stated below, the motion to dismiss is Granted. This action...	Dec. 10, 2013	Case	██████	—
Declined to Follow by	24. Rivac v. Ndex West LLC ¶¶ 2013 WL 6662762 , N.D.Cal.	Dec. 17, 2013	Case	██████	8 9 12 Cal.Rptr.3d

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Treatment	Title	Date	Type	Depth	Headnote(s)
	The motion of defendants JPMorgan Chase Bank, N.A. ("JPMorgan," sued as JP Morgan Chase Bank N.A. f.k.a EMC Mortgage Corporation); Wells Fargo Bank, N.A. ("Wells Fargo"); and...				
Declined to Follow by	25. Gates v. LPP Mortg., Inc. 2013 WL 6978834 , C.D.Cal. R. Neal for Debra Plato, Deputy Clerk. Plaintiff David W. Gates brings this action for declaratory relief and breach of the implied covenant of good faith and fair dealing....	Dec. 30, 2013	Case		12 Cal.Rptr.3d
Declined to Follow by	26. Haddad v. Bank of America, N.A. ¶¶ 2014 WL 67646 , S.D.Cal. The matters before the Court are the Motions to Dismiss Plaintiff's First Amended Complaint, filed by all Defendants. (ECF Nos. 22, 25). In August 2006, Plaintiff borrowed \$770,000...	Jan. 08, 2014	Case		8 9 12 Cal.Rptr.3d
Declined to Follow by	27. Bergman v. Bank of America, N.A. 2014 WL 265577 , N.D.Cal. Plaintiffs Kurt and Nancy Bergman ("Plaintiffs") brought suit for wrongful foreclosure and related claims against Defendants Bank of America, N.A. ("Bank of America"), Federal Home...	Jan. 22, 2014	Case		9 Cal.Rptr.3d
Declined to Follow by	28. Sporn v. JPMorgan Chase Bank N.A. 2014 WL 280627 , Cal.App. 4 Dist. Plaintiff Alan R. Sporn appeals from the sustaining of a demurrer without leave to amend to his second amended complaint (SAC) against defendants JPMorgan Chase Bank, N.A. (Chase)...	Jan. 27, 2014	Case		9 Cal.Rptr.3d
Declined to Follow by	29. Covarrubias v. Federal Home Loan Mortg. Corp. ¶¶ 2014 WL 311060 , S.D.Cal. The matters before the Court are the Motion for Sanctions (ECF No. 11) filed by Plaintiff Roseann Covarrubias and the Motion to Dismiss (ECF No. 13) filed by Defendant Federal Home...	Jan. 28, 2014	Case		8 9 12 Cal.Rptr.3d
Declined to Follow by	30. Snell v. Deutsche Bank Nat. Trust Co. ¶¶ 2014 WL 325147 , E.D.Cal. Through this action, Plaintiff Amos G. Snell ("Plaintiff") seeks relief from Deutsche Bank National Trust Company ("Deutsche Bank"), as Trustee for GSAMP Trust 2005-WMCI ("the...	Jan. 29, 2014	Case		8 12 Cal.Rptr.3d
Declined to Follow by	31. Gieseke v. Bank of America, N.A. ¶¶ 2014 WL 718463 , N.D.Cal. Defendants Bank of America, N.A. ("BANA") and U.S. Bank, N.A. as Trustee for the Certificateholders of Banc of America Funding Corporation Mortgage Pass-Through Certificates,...	Feb. 23, 2014	Case		12 13 14 Cal.Rptr.3d
Declined to Follow by	32. In re Yvanova ¶¶ 2014 WL 815774 , Bkrtcy.C.D.Cal. Plaintiff Tsvetana Yvanova ("Yvanova") filed an Adversary Complaint on September, 27, 2013 which	Mar. 03, 2014	Case		8 9 12 Cal.Rptr.3d

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Treatment	Title	Date	Type	Depth	Headnote(s)
	was dismissed on December 10, 2013 with leave to amend. The Order on Motion to...				
Declined to Follow by	33. Reyes-Aguilar v. Bank of America, N.A. 2014 WL 2153792 , N.D.Cal. Tricia Reyes-Aguilar and Edward Aguilar ("Plaintiffs") brought suit for wrongful foreclosure and related claims against Bank of America, N.A. ("Bank of America"), Citibank, N.A....	Mar. 20, 2014	Case		9 Cal.Rptr.3d
Declined to Follow by	34. Anh Nguyet Tran v. Bank of New York 2014 WL 1225575 , S.D.N.Y. On April 15, 2013, an Amended Complaint was filed by thirty-eight individuals and one limited liability company —(collectively, the "Plaintiffs")—against trustees Bank of New York...	Mar. 24, 2014	Case		12 Cal.Rptr.3d
Declined to Follow by	35. Rubio v. U.S. Bank N.A. ¶¶ 2014 WL 1318631 , N.D.Cal. Plaintiff Edgardo Rubio sued Defendants U.S. Bank, Ocwen Loan Servicing, Western Progressive, and Mortgage Electronic Registration Systems in connection with foreclosure...	Apr. 01, 2014	Case		8 9 12 Cal.Rptr.3d
Declined to Follow by	36. Lanini v. JPMorgan Chase Bank ¶¶ 2014 WL 1347365 , E.D.Cal. Defendants JPMorgan Chase Bank and Chase Home Financing have filed a motion to dismiss the complaint. ECF No. 19. Plaintiffs have opposed the motion and defendants have replied....	Apr. 04, 2014	Case		8 9 12 Cal.Rptr.3d
Declined to Follow by	37. Brink v. Alternative Loan Trust 2006-39CB ¶¶ 2014 WL 1839103 , E.D.Cal. This matter came before the court on January 24, 2014, for hearing of defendant's motion to dismiss plaintiff's amended complaint pursuant to Rule 12(b)(6) of the Federal Rules of...	May 08, 2014	Case		8 9 12 Cal.Rptr.3d
Declined to Follow by	38. Ukpoma v. U.S. Bank Nat. Ass'n 2014 WL 1884395 , E.D.Wash. BEFORE THE COURT is Plaintiff's Motion to Vacate Summary Judgment (ECF No. 83). This matter is submitted for consideration without oral argument. The Court has reviewed the...	May 12, 2014	Case		—
Declined to Follow by	39. Nan Hui Chen v. Deutsche Bank National Trust Co. 2014 WL 2738071 , N.D.Cal. Plaintiff Nan Hui Chen ("Plaintiff") brings this civil action against Defendant Deutsche Bank National Trust Company, Western Progressive, Mortgage Electronic Registration...	June 09, 2014	Case		8 Cal.Rptr.3d
Declined to Follow by	40. Rajamin v. Deutsche Bank Nat. Trust Co. 757 F.3d 79 , 2nd Cir.(N.Y.) REAL PROPERTY - Mortgages and Deeds of Trust. Mortgagors did not suffer any injury as result of mortgage lender's assignment of their promissory notes and mortgages.	June 30, 2014	Case		9 Cal.Rptr.3d

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Treatment	Title	Date	Type	Depth	Headnote(s)
Declined to Follow by	41. McNeil v. Wells Fargo Bank, N.A. 2014 WL 2967629 , N.D.Cal. This is a mortgage foreclosure dispute. Defendants Wells Fargo Bank, N.A. ("Wells Fargo") and U.S. Bank National Association ("U.S.Bank") (collectively, "Defendants") now move to...	July 01, 2014	Case		7 Cal.Rptr.3d
Declined to Follow by	42. Rogers v. Bank of America, N.A. 2014 WL 2968900 , D.Minn. This matter is before the Court on Defendants Bank of America, N.A. as successor by merger to Countrywide Home Loans, Inc. and Countrywide Homes Loans Servicing, LP ("BANA"), Bank...	July 01, 2014	Case		9 12 Cal.Rptr.3d
Declined to Follow by	43. Lazo v. Summit Management Co., LLC ¶¶ 2014 WL 3362289 , E.D.Cal. Summit Management Company, LLL; Caliber Home Loans, Inc.; and Vericrest Opportunity Loan Trust 2011-NPL1 (collectively, "Defendants") seek dismissal of the complaint filed by...	July 09, 2014	Case		8 12 Cal.Rptr.3d
Declined to Follow by	44. Ordone v. US Bank National Association ¶¶ 2014 WL 3610952 , N.D.Cal. In this action, plaintiff Consuelo Ordone seeks to prevent the "pending loss of her home through foreclosure initiated and advanced by Defendants." Dkt. No. 1-1 ¶ 33. The...	July 21, 2014	Case		8 9 12 Cal.Rptr.3d
Declined to Follow by	45. Morales v. Bank of New York Mellon ¶¶ 2014 WL 3752133 , N.D.Cal. Plaintiff Evelyn A. Morales ("Plaintiff"), proceeding pro se, brings this action seeking to prevent foreclosure of her home. She sues Defendants Bank of New York Mellon, CWALT,...	July 30, 2014	Case		8 12 Cal.Rptr.3d
Declined to Follow by	46. Moran v. GMAC Mortgage, LLC ¶¶ 2014 WL 3853833 , N.D.Cal. Plaintiff Patricia Moran ("Moran") brings this mortgage action against GMAC Mortgage, LLC, Executive Trustee Services, LLC, Mortgage Electronic Registration Systems, Inc., U.S....	Aug. 05, 2014	Case		8 9 12 Cal.Rptr.3d
Declined to Follow by	47. Patel v. U.S. Bank, N.A. 2014 WL 3870388 , N.D.Cal. Defendants U.S. Bank N.A., Wells Fargo Bank, N.A., Homeward Residential, Inc., Power Default Services, Inc. and Mortgage Electronic Registration Systems, Inc. move for summary...	Aug. 06, 2014	Case		14 Cal.Rptr.3d
Declined to Follow by	48. Wood v. Germann ⇨ 331 P.3d 859 , Nev. REAL PROPERTY - Mortgages and Deeds of Trust. Assignment of mortgage and note after securitized loan trust's closing date was not void, but was merely voidable.	Aug. 07, 2014	Case		14 Cal.Rptr.3d
Declined to Follow by	49. Miller v. JP Morgan Chase Bank N.A. 2014 WL 3921361 , N.D.Cal.	Aug. 08, 2014	Case		9 Cal.Rptr.3d

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Treatment	Title	Date	Type	Depth	Headnote(s)
	In this foreclosure action, Plaintiff Robert Miller ("Plaintiff") brings suit against JP Morgan Chase Bank, N.A. ("Chase"); Deutsche Bank National Trust Company, as Trustee for...				
Declined to Follow by	<p>50. Franklin v. Town Capital I, LLC ¶¶</p> <p>2014 WL 4079646 , Cal.App. 2 Dist. Appellants Robert and Debbie Franklin brought suit against respondents Town Capital I, LLC (Town Capital), Double F Management Group, LLC (Double F), and FCI Lender Services, Inc....</p>	Aug. 19, 2014	Case	██████	<p>8</p> <p>9</p> <p>13</p> <p>Cal.Rptr.3d</p>
Declined to Follow by	<p>51. Contreras v. JPMorgan Chase</p> <p>2014 WL 4247732 , C.D.Cal. Maynor Galvez Deputy Clerk Before the Court are two motions. First is a Motion to Remand filed by Plaintiff Ramiro Contreras ("Contreras"). ("Remand Motion," Doc. No. 12.) Second...</p>	Aug. 28, 2014	Case	██████	<p>13</p> <p>Cal.Rptr.3d</p>
Declined to Follow by	<p>52. St. Clair v. JPMorgan Chase Bank, N.A.</p> <p>2014 WL 4661956 , E.D.Cal. Plaintiff Richard St. Clair filed this wrongful foreclosure action on August 19, 2013. (Doc. 2.) Plaintiff alleges Defendants JP Morgan Chase Bank, N.A. ("JP Morgan"), U.S. Bank,...</p>	Sep. 18, 2014	Case	██████	<p>12</p> <p>Cal.Rptr.3d</p>
Declined to Follow by	<p>53. U.S. Bank Nat. Ass'n v. Salvacion</p> <p>338 P.3d 1185 , Hawai'i App. Background: Mortgagee brought foreclosure action against mortgagor, and mortgagor counterclaimed for fraud. The Fifth Circuit Court, Randal G.B. Valenciano, J., granted summary...</p>	Oct. 29, 2014	Case	██████	<p>12</p> <p>Cal.Rptr.3d</p>
Declined to Follow by	<p>54. Nan Hui Chen v. Deutsche Bank National Trust Co. ¶¶</p> <p>2014 WL 6668785 , N.D.Cal. Plaintiff Nan Hui Chen ("plaintiff") brings this civil action against defendants Deutsche Bank National Trust Company, Western Progressive, Mortgage Electronic Registration...</p>	Nov. 24, 2014	Case	██████	<p>8</p> <p>9</p> <p>12</p> <p>Cal.Rptr.3d</p>
Declined to Follow by	<p>55. Tervalon v. Bank of America</p> <p>2014 WL 6737001 , Cal.App. 2 Dist. Borrowers on a note secured by a deed of trust on their residence bring this action to prevent foreclosure and for damages. They claim transfers of the debt have made it...</p>	Dec. 01, 2014	Case	██████	<p>12</p> <p>Cal.Rptr.3d</p>
Declined to Follow by	<p>56. Welker v. JPMorgan Chase Bank ¶¶</p> <p>2014 WL 6810386 , Cal.App. 4 Dist. Plaintiff James Welker filed a preemptive suit to challenge a nonjudicial foreclosure of his home. In a 37–page verified complaint, he claimed that Mortgage Electronic...</p>	Dec. 03, 2014	Case	██████	<p>8</p> <p>9</p> <p>12</p> <p>Cal.Rptr.3d</p>
Declined to Follow by	<p>57. Hild v. Bank of America, N.A.</p> <p>2015 WL 401316 , C.D.Cal.</p>	Jan. 29, 2015	Case	██████	<p>12</p> <p>Cal.Rptr.3d</p>

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Treatment	Title	Date	Type	Depth	Headnote(s)
	MAYNOR GALVEZ Deputy Clerk Before the Court are two motions to dismiss Plaintiffs' First Amended Complaint from Defendant Nationstar Mortgage LLC ("Nationstar"), (Doc. No. 22), and...				
Declined to Follow by	<p>58. Ryan ex rel. Ryan v. Nationstar Mortg., LLC</p> <p>2015 WL 502941 , E.D.Cal. Defendant Nationstar Mortgage, LLC ("Defendant") seeks dismissal of Plaintiff's Complaint, arguing, inter alia: "Plaintiff's entire complaint # rests on th[e] failed legal...</p>	Feb. 05, 2015	Case		<p>8 12</p> <p>Cal.Rptr.3d</p>
Declined to Follow by	<p>59. Brown v. Green Tree Servicing LLC</p> <p>86 F.Supp.3d 1047 , D.Minn. REAL PROPERTY - Mortgages and Deeds of Trust. Mortgagors lacked standing to challenge mortgage assignment from one entity to another</p>	Feb. 06, 2015	Case		—
Declined to Follow by	<p>60. Khan v. ReconTrust Company</p> <p>81 F.Supp.3d 867 , N.D.Cal. REAL PROPERTY - Mortgages and Deeds of Trust. Pro se mortgagor pled fraud claim against mortgagee with sufficient particularity.</p>	Feb. 23, 2015	Case		<p>8 9 12</p> <p>Cal.Rptr.3d</p>
Declined to Follow by	<p>61. Deutsche Bank Nat. Trust Co. v. Maclaurin</p> <p>350 P.3d 1201 , N.M.App. REAL PROPERTY - Mortgages and Deeds of Trust. Borrowers lacked authority to challenge transfer of mortgage to assignee based on alleged pooling and servicing agreement violations.</p>	Mar. 04, 2015	Case		<p>8 12</p> <p>Cal.Rptr.3d</p>
Declined to Follow by	<p>62. Gorman v. Wells Fargo Bank, N.A.</p> <p>2015 WL 1813608 , C.D.Cal. Shannon Reilly, Courtroom Deputy. On February 18, 2015, Defendants Wells Fargo Bank, N.A. ("Wells Fargo"); HSBC Bank USA, National Association as Trustee for Lehman Mortgage Trust,...</p>	Apr. 21, 2015	Case		<p>8</p> <p>Cal.Rptr.3d</p>
Declined to Follow by	<p>63. Tribelsky v. U.S. Bank National Association</p> <p>2015 WL 1873266 , Cal.App. 2 Dist. In 2006, Boaz Tribelsky financed the purchase of his residence by executing a promissory note payable to Wells Fargo Bank, secured by a deed of trust on the property. In 2012,...</p>	Apr. 23, 2015	Case		<p>9</p> <p>Cal.Rptr.3d</p>
Declined to Follow by	<p>64. In re Turner</p> <p>2015 WL 3485876 , 9th Cir.BAP (Cal.) Chapter 13 debtor Rosanna Mac Turner ("Debtor") and her spouse, David G. Turner (collectively, "Turners"), appeal an order dismissing with prejudice their adversary complaint for...</p>	June 02, 2015	Case		<p>8 9 12</p> <p>Cal.Rptr.3d</p>
Declined to Follow by	<p>65. Christie v. Bank of New York Mellon, N.A.</p> <p>617 Fed.Appx. 680 , 9th Cir.(Cal.) FINANCE AND BANKING - Mortgages and Deeds of Trust. Mortgagor lacked standing to challenge irregularities in the assignment of her note or deed of trust.</p>	June 11, 2015	Case		—

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Treatment	Title	Date	Type	Depth	Headnote(s)
Declined to Follow by	<p>66. Carr v. Canterbury Lots 68, LLC ¶¶</p> <p>2015 WL 4576019 , Cal.App. 2 Dist. Plaintiff and appellant Martha Carr (Carr) appeals orders of dismissal in favor of defendants and respondents JPMorgan Chase Bank, N.A. (Chase) and Canterbury Lots 68, LLC...</p>	July 30, 2015	Case	■■■■■	<p>8</p> <p>9</p> <p>12</p> <p>Cal.Rptr.3d</p>
Declined to Follow by	<p>67. Smith v. Nationstar Mortgage LLC ¶¶</p> <p>2015 WL 4652699 , C.D.Cal. Plaintiff Robert K. Smith brings ten federal and state law claims against Defendants Nationstar Mortgage LLC ("Nationstar") and Homecomings Financial Network, Inc. ("Homecomings")...</p>	Aug. 04, 2015	Case	■■■■■	<p>8</p> <p>12</p> <p>Cal.Rptr.3d</p>
Declined to Follow by	<p>68. Amador v. Back Home Loan Servicing L.P. ¶¶</p> <p>2015 WL 4661048 , Cal.App. 2 Dist. Plaintiff and appellant Francisca Amador (plaintiff) executed a note and deed of trust in favor of the original lender to fund the purchase of a home. The deed of trust was...</p>	Aug. 06, 2015	Case	■■■■■	<p>8</p> <p>9</p> <p>12</p> <p>Cal.Rptr.3d</p>
Declined to Follow by	<p>69. Abano v. Ocwen Loan Servicing, LLC</p> <p>2015 WL 5971547 , C.D.Cal. On July 10, 2015, Plaintiff filed this action against Defendants in the Los Angeles County Superior Court. (Dkt. 1, Ex.1). Plaintiff brings claims for wrongful foreclosure, to...</p>	Oct. 13, 2015	Case	■■■■■	<p>8</p> <p>12</p> <p>Cal.Rptr.3d</p>
Declined to Follow by	<p>70. Melstrom v. Green Tree Servicing, LLC</p> <p>2015 WL 7282804 , Cal.App. 2 Dist. Plaintiffs and appellants Michael D. Melstrom and Patra Melstrom appeal from a judgment of dismissal entered after the trial court sustained the demurrer of defendants and...</p>	Nov. 18, 2015	Case	■■■■■	<p>8</p> <p>9</p> <p>Cal.Rptr.3d</p>
Declined to Follow by	<p>71. Gehron v. Nicholas</p> <p>2015 WL 7770176 , Cal.App. 4 Dist. Plaintiffs and appellants George and Cheryl Gehron and the Gehron Family Trust are property owners who defaulted on a real estate loan. The gravamen of their suit against...</p>	Dec. 02, 2015	Case	■■■■■	<p>12</p> <p>Cal.Rptr.3d</p>
Declined to Follow by	<p>72. Melgar v. Deutsche Bank National Trust Company</p> <p>2016 WL 47919 , Cal.App. 4 Dist. Soni Melgar, in propria persona, brought an action against her lender and other financial institutions arising from her 2010 default on a loan of her residence. Melgar maintains...</p>	Jan. 04, 2016	Case	■■■■■	—
Declined to Follow by	<p>73. Morgensen v. Downey Savings and Loan Association</p> <p>2016 WL 234430 , N.D.Cal. Pro se plaintiff David Alan Morgensen sues for various alleged violations in connection with the non-judicial</p>	Jan. 20, 2016	Case	■■■■■	—

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Treatment	Title	Date	Type	Depth	Headnote(s)
	foreclosure proceedings of certain real property located in Scotts...				
Declined to Follow by	<p>74. Agmata-Rivac v. Wells Fargo Bank, N.A.</p> <p>2016 WL 280015 , Cal.App. 1 Dist. In this case challenging defendant's authority to foreclose under a deed of trust, the borrowers, plaintiffs Warlita Agmata-Rivac and Severino Rivac, appeal from a judgment for...</p>	Jan. 22, 2016	Case		12 Cal.Rptr.3d
Declined to Follow by	<p>75. Gilarmo v. U.S. Bank NA ex rel. CSAB Mortg. Backed Trust 2006-1</p> <p>--- Fed.Appx. ---- , 3rd Cir.(N.J.) REAL PROPERTY - Mortgages and Deeds of Trust. Mortgagor lacked standing to challenge assignment of mortgage to trustee for mortgage-backed securities that brought foreclosure...</p>	Feb. 05, 2016	Case		8 12 Cal.Rptr.3d
Declined to Follow by	<p>76. Saterbak v. JP Morgan Chase Bank</p> <p>2016 WL 618045 , Cal.App. 4 Dist. Laura Saterbak appeals a judgment dismissing her first amended complaint (FAC) after the sustaining of a demurrer without leave to amend. Saterbak claims the assignment of the...</p>	Feb. 16, 2016	Case		8 12 Cal.Rptr.3d
Declined to Follow by	<p>77. Saterbak v. JPMorgan Chase Bank, N.A.</p> <p>199 Cal.Rptr.3d 790 , Cal.App. 4 Dist. Background: Borrower brought action against the assignee of the deed of trust to her home, to cancel the assignment and to obtain declaratory relief. The Superior Court, San Diego...</p>	Mar. 16, 2016	Case		8 12 Cal.Rptr.3d
Abrogation Recognized by	<p>78. Neal v. Select Portfolio Servicing, Inc.</p> <p>2016 WL 48124 , N.D.Cal. In this action, Plaintiff Ralph Neal ("Plaintiff") brings suit against Select Portfolio Servicing, Inc. ("SPS") and Bank of America, N.A. (collectively "Defendants") for claims...</p>	Jan. 05, 2016	Case		12 Cal.Rptr.3d
Disagreement Recognized by	<p>79. Sepehry-Fard v. Department Stores National Bank</p> <p>2013 WL 6574774 , N.D.Cal. Currently before the Court are defendants' motions to dismiss and plaintiff's motions to amend and for expedited discovery. Having considered the papers submitted, and for good...</p>	Dec. 13, 2013	Case		9 Cal.Rptr.3d
Disagreement Recognized by	<p>80. In re Scomparin</p> <p>2014 WL 184175 , Bkrcty.N.D.Cal. Plaintiff, Arnaud Scomparin, filed a complaint to determine the extent and validity of a lien on his residence and to receive additional related relief. Defendants, Deutsche Bank...</p>	Jan. 15, 2014	Case		9 12 Cal.Rptr.3d
Disagreement Recognized by	<p>81. In re Bui</p> <p>2014 WL 507385 , Bkrcty.N.D.Cal. Mylinh Bui and Tung Lam (the "Plaintiffs") filed a complaint for wrongful foreclosure and additional related relief. Defendant, OneWest Bank, FSB ("OneWest" or the "Defendant"),...</p>	Feb. 07, 2014	Case		9 Cal.Rptr.3d

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Treatment	Title	Date	Type	Depth	Headnote(s)
Disagreement Recognized by	82. Flores v. EMC Mortg. Co. ¶¶ 997 F.Supp.2d 1088 , E.D.Cal. REAL PROPERTY - Pleading. Plaintiffs' complaint asserting wrongful foreclosure and related claims failed to satisfy the general pleading rules.	Feb. 18, 2014	Case	■■■■■	8 12 Cal.Rptr.3d
Disagreement Recognized by	83. Spicuzza v. U.S. Bank, National Association 2014 WL 2735769 , Cal.App. 2 Dist. Plaintiff and appellant Jeanne Marie Spicuzza appeals from a judgment of dismissal following an order sustaining a demurrer in favor of defendants and respondents Quality Loan...	June 17, 2014	Case	■■■■■	8 12 14 Cal.Rptr.3d
Disagreement Recognized by	84. Fontes v. U.S. Bank National Association 2014 WL 2772402 , Cal.App. 6 Dist. Plaintiffs Cynthia Fontes and Mike Maunu brought this action against JP Morgan Chase Bank, N.A. (Chase), U.S. Bank National Association (U.S. Bank), and California Reconveyance...	June 19, 2014	Case	■■■■■	9 Cal.Rptr.3d
Disagreement Recognized by	85. OgorSolka v. Residential Credit Solutions, Inc. 2014 WL 2860742 , W.D.Wash. This matter comes before the Court upon Defendant Bank of New York Mellon, FKA the Bank of New York as Trustee for the Certificateholders of CWMBBS, Inc., CHL Mortgage PassThrough...	June 23, 2014	Case	■■■■■	8 Cal.Rptr.3d
Disagreement Recognized by	86. Fathi v. J.P. Morgan Chase Bank, N.A. ¶¶ 2014 WL 3015040 , S.D.Cal. On November 1, 2013, Plaintiff Hamed Fathi, who is proceeding pro se, commenced this action related to a residential loan and subsequent initiation of foreclosure proceedings by...	July 02, 2014	Case	■■■■■	12 13 14 Cal.Rptr.3d
Disagreement Recognized by	87. Conant v. Wells Fargo Bank, N.A. ¶¶ 60 F.Supp.3d 99 , D.D.C. REAL PROPERTY - Mortgages and Deeds of Trust. Fraud claim relating to mortgage foreclosure was not pled with particularity.#	July 25, 2014	Case	■■■■■	8 9 12 Cal.Rptr.3d
Disagreement Recognized by	88. Ochoa v. NDeX West LLC 2014 WL 3858458 , Cal.App. 2 Dist. Appellant, Ruben Ochoa, in pro. per, appeals from a judgment dismissing his first amended complaint, which contains claims for declaratory relief to void a contract and a deed of...	Aug. 06, 2014	Case	■■■■■	12 Cal.Rptr.3d
Disagreement Recognized by	89. Pratap v. Wells Fargo Bank, N.A. ¶¶ 63 F.Supp.3d 1101 , N.D.Cal. COMMERCIAL LAW - Consumer Credit. Trustors' Truth-in-Lending Act (TILA) claims against trustee, alleging failure to timely disclose material information, was time-barred.#	Aug. 07, 2014	Case	■■■■■	13 14 Cal.Rptr.3d
Disagreement Recognized by	90. Rochambeau v. Wells Fargo Bank, N.A. 2014 WL 4000000 , N.D.Cal. COMMERCIAL LAW - Consumer Credit. Plaintiff's claim for declaratory relief and damages against Wells Fargo Bank, N.A. is barred by the statute of limitations.	Aug. 21, 2014	Case	■■■■■	8 12 Cal.Rptr.3d

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Treatment	Title	Date	Type	Depth	Headnote(s)
	2014 WL 4104601 , Cal.App. 1 Dist. Plaintiffs Rodrigue Rochambeau and Prince Song Cambilargiu appeal, in propria persona, from a judgment of dismissal following the sustaining, without leave to amend, of demurrers...				Cal.Rptr.3d
Disagreement Recognized by	91. Vitale v. Central Mortgage Company 2014 WL 4826963 , Cal.App. 1 Dist. Deborah Vitale appeals from a summary judgment in favor of Central Mortgage Company (Central) and Mortgage Electronic Registration Systems, Inc. (MERS), beneficiaries of a deed of...	Sep. 30, 2014	Case	■■■■■	8 Cal.Rptr.3d
Disagreement Recognized by	92. Dang v. Residential Credit Solutions, Inc. ¶¶ 2014 WL 5513753 , N.D.Cal. Plaintiff Son P. Dang's First Amended Complaint against defendants alleges Wrongful Foreclosure, Slander of Title, Violation of California Civil Code § 2923.5, Violation of 12...	Oct. 31, 2014	Case	■■■■■	7 8 12 Cal.Rptr.3d
Disagreement Recognized by	93. In re Rivera 2014 WL 6675693 , 9th Cir.BAP (Cal.) Chapter 13 debtors Anton and Denise Rivera appeal from an order dismissing their second amended complaint without leave to amend and dismissing their adversary proceeding with...	Nov. 24, 2014	Case	■■■■■	8 9 Cal.Rptr.3d
Disagreement Recognized by	94. Lazo v. Caliber Home Loans, Inc. 2015 WL 590663 , E.D.Cal. This is an action for damages and injunctive relief by plaintiffs Manuel and Oralia Lazo ("Plaintiffs") against defendants Caliber Home Loans, Inc. ("Caliber"), Vericrest...	Feb. 12, 2015	Case	■■■■■	13 Cal.Rptr.3d
Disagreement Recognized by	95. Williams v. Bear Stearns Residential Mortgage Corporation ¶¶ 2015 WL 729342 , Cal.App. 4 Dist. Plaintiff and appellant Marian C. Williams is a property owner who has defaulted on a real estate loan. She appeals from a judgment of dismissal, entered after the court...	Feb. 19, 2015	Case	■■■■■	8 9 12 Cal.Rptr.3d
Disagreement Recognized by	96. Hunt v. U.S. Bank N.A. 593 Fed.Appx. 730 , 9th Cir.(Cal.) Chester and Lynda Hunt appeal the district court's dismissal of their third complaint for failure to state a claim and denial of leave to amend. We have jurisdiction pursuant to...	Feb. 23, 2015	Case	■■■■■	13 Cal.Rptr.3d
Disagreement Recognized by	97. Arlante v. Deutsche Bank National Trust Company ¶¶ 2015 WL 847191 , Cal.App. 2 Dist. Plaintiffs Ramon Arlante and Nelida Servero sued Deutsche Bank National Trust Company (the "Bank"), as trustee for IndyMac INDX Mortgage Trust 2005-AR27, following the sale of...	Feb. 26, 2015	Case	■■■■■	8 9 12 Cal.Rptr.3d

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Treatment	Title	Date	Type	Depth	Headnote(s)
Disagreement Recognized by	98. Fink v. Wells Fargo Bank, N.A. 2015 WL 1204854 , N.D.Cal. Plaintiffs John Fink and Susan Fink ("Plaintiffs") bring this action against Defendants Wells Fargo Bank, N.A. ("Wells Fargo") and Western Reconveyance, LLC, for claims for...	Mar. 16, 2015	Case		7 Cal.Rptr.3d
Disagreement Recognized by	99. Monet v. Bank of America, N.A. 2015 WL 1775219 , Cal.App. 6 Dist. Plaintiff Christopher Monet, individually and as trustee of the L & M Family Living Trust (hereafter jointly Monet), obtained a loan for \$868,000 secured by a deed of trust on real...	Apr. 16, 2015	Case		8 12 Cal.Rptr.3d
Disagreement Recognized by	100. Enriquez v. Bank of America, N.A. 2015 WL 2411719 , N.D.Cal. Before the Court is the Motion to Dismiss, filed March 30, 2015 and renoticed on April 3, 2015, on behalf of defendants Bank of America, N.A. ("BANA"), Mortgage Electronic...	May 20, 2015	Case		13 14 Cal.Rptr.3d
Disagreement Recognized by	101. Trepany v. Deutsche Bank National Trust Co. 2015 WL 4506901 , C.D.Cal. Pending before the Court is Deutsche Bank National Trust Company, as Trustee for IndyMac Indx Mortgage Loan Trust 2006-AR29; OneWest Bank, FSB; and Ocwen Loan Servicing, LLC's...	July 23, 2015	Case		8 Cal.Rptr.3d
Disagreement Recognized by	102. Gyurec v. Deutsche Bank National Trust Company 2015 WL 4528445 , Cal.App. 4 Dist. Plaintiff and appellant Ernesto Daniel Gyurec (Gyurec) is a property owner who defaulted on a real estate loan. In August 2012, he initiated this action seeking monetary relief...	July 27, 2015	Case		8 9 12 Cal.Rptr.3d
Disagreement Recognized by	103. Carney v. U.S. Bank, N.A. 2015 WL 5011740 , Cal.App. 4 Dist. Appellant Michael Carney's lawsuit superficially resembles many others spawned by the housing crash of 2008. Like many other plaintiffs, he sued his lender, the assignee of his...	Aug. 24, 2015	Case		8 Cal.Rptr.3d
Disagreement Recognized by	104. Bank of New York Mellon v. Superior Court 2015 WL 5918384 , Cal.App. 2 Dist. Petitioners Bank of New York Mellon (BNYM) as trustee for the CWALT, Inc. Alternative Loan Trust OA2 Mortgage Pass Through Certificated, Series 2007-OA2 (CWALT Trust) and...	Oct. 09, 2015	Case		8 9 12 Cal.Rptr.3d
Disagreement Recognized by	105. Dusen v. Bank of America, N.A. 2016 WL 369696 , Cal.App. 1 Dist. Steven Van Dusen appeals from the denial of his motion for relief from an order dismissing his complaint. The complaint had been dismissed due to Van Dusen's failure to amend his...	Jan. 29, 2016	Case		—

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Treatment	Title	Date	Type	Depth	Headnote(s)
Disagreement Recognized by	<p>106. Hills v. Mortgage Electronic Registration System, Inc</p> <p>2016 WL 454093 , N.D.Cal. Plaintiff Penny Slinger Hills has filed suit against Defendants Mortgage Electronic Registration Systems, Inc. ("MERS"); CitiMortgage, Inc. ("Citi"); and National Default Servicing...</p>	Feb. 05, 2016	Case		<p>8</p> <p>Cal.Rptr.3d</p>
Disagreement Recognized by	<p>107. Watland v. Ocwen Loan Servicing, LLC</p> <p>2016 WL 1469610 , Cal.App. 1 Dist. James A. Watland and Billi R. Watland appeal from a judgment of dismissal entered after the trial court sustained respondents' demurrer to their first amended complaint without...</p>	Apr. 13, 2016	Case		<p>8</p> <p>12</p> <p>13</p> <p>Cal.Rptr.3d</p>
Called into Doubt by	<p>108. In re Residential Capital, LLC</p> <p>2015 WL 4040506 , Bkrtcy.S.D.N.Y. Pending before the Court is the ResCap Liquidating Trust's (the "Liquidating Trust") and the ResCap Borrower Claims Trust's (the "Borrower Trust" and, together with the Liquidating...</p>	June 30, 2015	Case		<p>9</p> <p>12</p> <p>Cal.Rptr.3d</p>
Called into Doubt by	<p>109. Brashear v. Bank of America, N.A.</p> <p>2015 WL 4608093 , Cal.App. 4 Dist. Appellant Faith Lynn Brashear's real property loans are in default. Brashear seeks to quiet title and avoid foreclosure by alleging that the deed of trust on the property was...</p>	Aug. 03, 2015	Case		<p>7</p> <p>9</p> <p>12</p> <p>Cal.Rptr.3d</p>
Called into Doubt by	<p>110. Vacarro v. Wells Fargo Bank, N.A.</p> <p>2015 WL 6154318 , Cal.App. 4 Dist. Plaintiff and appellant Nicholas Vacarro appeals from a judgment entered after the trial court sustained without leave to amend the demurrer of defendants and respondents Wells...</p>	Oct. 20, 2015	Case		<p>8</p> <p>12</p> <p>13</p> <p>Cal.Rptr.3d</p>
Declined to Extend by	<p>111. Holmes v. HSBC Bank USA</p> <p>2014 WL 99018 , Cal.App. 2 Dist. Plaintiff and appellant Dennis Ricky Holmes seeks reversal of the judgment for defendants and respondents HSBC Bank USA National Association (HSBC) and Recontrust Company, N.A....</p>	Jan. 10, 2014	Case		<p>7</p> <p>13</p> <p>14</p> <p>Cal.Rptr.3d</p>
Declined to Extend by	<p>112. Sepehry-Fard v. Bank of New York Mellon, N.A.</p> <p>2014 WL 460895 , N.D.Cal. Plaintiff Fareed Sepehry-Fard ("Plaintiff") brought the instant action against Defendants Bank of New York Mellon, N.A. ("Bank of New York"), Bank of America Corporation ("Bank of...</p>	Feb. 03, 2014	Case		—
Declined to Extend by	<p>113. Banares v. Wells Fargo Bank, N.A.</p> <p>2014 WL 985532 , N.D.Cal. Plaintiff, Marialuz A. Banares, filed a complaint ("Complaint") against Wells Fargo Bank, N.A. ("Wells Fargo") and HSBC Bank USA, N.A. ("HSBC") as Trustee for Wells Fargo Asset...</p>	Mar. 07, 2014	Case		<p>8</p> <p>9</p> <p>12</p> <p>Cal.Rptr.3d</p>

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Treatment	Title	Date	Type	Depth	Headnote(s)
Declined to Extend by	<p>114. Kan v. Guild Mortgage Company ¶¶</p> <p>178 Cal.Rptr.3d 745 , Cal.App. 2 Dist. REAL PROPERTY - Mortgages and Deeds of Trust. Borrower could not challenge validity of trust deeds using preforeclosure cause of action for quiet title.#</p>	Sep. 25, 2014	Case	██████	<p>8</p> <p>9</p> <p>12</p> <p>Cal.Rptr.3d</p>
Declined to Extend by	<p>115. Shaver v. Barrett Daffin Frappier Turner & Engel, L.L.P.</p> <p>593 Fed.Appx. 265 , 5th Cir.(Tex.) Background: Homeowners filed state court suit against lender, lender's counsel, lender's successor by merger, trustee for deed of trust, and trust as assignee of note obligating...</p>	Nov. 05, 2014	Case	██████	<p>9</p> <p>Cal.Rptr.3d</p>
Declined to Extend by	<p>116. Diunugala v. JP Morgan Chase Bank, N.A. ¶¶</p> <p>81 F.Supp.3d 969 , S.D.Cal. COMMERCIAL LAW - Consumer Credit. Mortgagor stated a TILA claim against purported trustees of mortgage-backed securitized trust.</p>	Jan. 21, 2015	Case	██████	<p>8</p> <p>9</p> <p>12</p> <p>Cal.Rptr.3d</p>
Declined to Extend by	<p>117. Gutierrez v. Bank of America, N.A.</p> <p>2015 WL 925703 , E.D.Cal. This matter is before the Court pursuant to Defendants Bank of America, N.A. ("BOA"), Mortgage Electronic Registration Systems, Inc. ("MERS"), and U.S. Bank, N.A.'s (collectively,...</p>	Mar. 03, 2015	Case	██████	—
Declined to Extend by	<p>118. Boyce v. T.D. Service Company ↗</p> <p>185 Cal.Rptr.3d 356 , Cal.App. 2 Dist. REAL PROPERTY - Mortgages and Deeds of Trust. Unlawful detainer judgment had res judicata effect.</p>	Mar. 23, 2015	Case	██████	<p>8</p> <p>Cal.Rptr.3d</p>
Declined to Extend by	<p>119. Castro v. IndyMac INDX Mortgage Loan Trust 2005-AR21</p> <p>2015 WL 3562455 , Cal.App. 4 Dist. Plaintiff and appellant Robert J. Castro was the owner of a La Quinta residence, which was sold in a statutory nonjudicial foreclosure sale (Civ.Code, § 2924) in May 2013, after...</p>	June 09, 2015	Case	██████	<p>8</p> <p>Cal.Rptr.3d</p>
Declined to Extend by	<p>120. Hammons v. Wells Fargo Bank, N.A.</p> <p>2015 WL 9258092 , N.D.Cal. In this action, plaintiff William E. Hammons raises a host of state law violations arising out of the foreclosure sale of his property. Hammons maintains the parties who executed...</p>	Dec. 18, 2015	Case	██████	<p>12</p> <p>Cal.Rptr.3d</p>
Distinguished by	<p>121. Diunugala v. JP Morgan Chase Bank, N.A. ¶¶</p> <p>2013 WL 5568737 , S.D.Cal. The matter before the Court is the Motion to Dismiss Plaintiff's First Amended Complaint for Failure to State a Claim filed by all Defendants. (ECF No. 20). On July 25, 2012,...</p>	Oct. 03, 2013	Case	██████	<p>8</p> <p>9</p> <p>12</p> <p>Cal.Rptr.3d</p>
Distinguished by	<p>122. Grimm v. Capital One, N.A.</p> <p>2013 WL 5719107 , Cal.App. 4 Dist.</p>	Oct. 22, 2013	Case	██████	<p>8</p> <p>Cal.Rptr.3d</p>

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Treatment	Title	Date	Type	Depth	Headnote(s)
	Plaintiffs and appellants Ray Grimm and Daran Grimm, husband and wife, sued defendant and respondent Capital One, N.A. (Capital One) and other entities, alleging the following...				
Distinguished by	123. Pugh v. JPMorgan Chase Bank, N.A. 2013 WL 5739147 , E.D.Cal. Plaintiffs Jesse Pugh, Sr. and Jesse Pugh, Jr., ("Plaintiffs") filed suit against JPMorgan Chase Bank ("Chase") and Wells Fargo Bank, N.A. ("Wells Fargo"), (collectively...	Oct. 22, 2013	Case		—
Distinguished by	124. Nguyen v. J.P. Morgan Chase Bank N.A. 2014 WL 207105 , N.D.Cal. In 2005, the Nguyens took out a loan to purchase a house that, it turns out, they could not afford. When faced with foreclosure, they filed this lawsuit. The operative claims...	Jan. 16, 2014	Case		—
Distinguished by	125. Gibson v. PNC Bank Nat. Ass'n 2014 WL 1333985 , D.Or. Magistrate Judge Mark D. Clarke filed a Report and Recommendation (# 21), and the matter is now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed.R.Civ.P. 72(b). Plaintiffs...	Apr. 02, 2014	Case		8 12 Cal.Rptr.3d
Distinguished by	126. Tessman v. Bank of America, N.A. 2014 WL 2957750 , Cal.App. 5 Dist. Joy Tessman appeals from the judgment entered after the trial court sustained respondents' demurrer to her second amended complaint for wrongful foreclosure without leave to amend...	July 01, 2014	Case		12 Cal.Rptr.3d
Distinguished by	127. Tavares v. Nationstar Mortg. LLC ¶¶ 2014 WL 3502851 , S.D.Cal. The matter before the Court is the Motion to Dismiss Plaintiffs' Complaint, filed by Defendant Nationstar Mortgage LLC. (ECF No. 6). In February 2007, Plaintiffs borrowed \$508,000...	July 14, 2014	Case		8 12 Cal.Rptr.3d
Distinguished by	128. Moran v. HSBC Bank USA, N.A. ¶¶ 2014 WL 3851305 , N.D.Cal. Plaintiff Kelly Moran ("Moran") brings this action against HSBC Bank USA, N.A. ("HSBC"), as Trustee for Luminent Mortgage Trust 2006-7; Wells Fargo Bank ("Wells Fargo"); Power...	Aug. 04, 2014	Case		8 9 12 Cal.Rptr.3d
Distinguished by	129. Whitney v. Citibank, N.A. ¶¶ 2014 WL 5448999 , Cal.App. 2 Dist. Appellant John Whitney appeals from the judgment entered upon the trial court's order sustaining respondents Citibank N.A. et al.'s demurrer without leave to amend. Appellant's...	Oct. 28, 2014	Case		8 12 13 Cal.Rptr.3d
Distinguished by	130. Burrows v. LoanLeaders of America Corp. 2014 WL 5824675 , D.Utah Before the court is Magistrate Judge Wells's Report and Recommendation ("R & R") under 28 U.S.C. § 636(b)(1)	Nov. 10, 2014	Case		—




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Treatment	Title	Date	Type	Depth	Headnote(s)
	(B) recommending that Defendants' motions to dismiss be granted and...				
Distinguished by	<p>131. Ram v. OneWest Bank, FSB ¶¶</p> <p>183 Cal.Rptr.3d 638 , Cal.App. 1 Dist. REAL PROPERTY - Mortgages and Deeds of Trust. Delay in executing substitution of trustee did not invalidate nonjudicial foreclosure sale.</p>	Feb. 06, 2015	Case		<p>13 14</p> <p>Cal.Rptr.3d</p>
Distinguished by	<p>132. Keo v. Bank of America, N.A.</p> <p>2015 WL 799633 , Cal.App. 1 Dist. Plaintiff Chanht Reatrey Keo (Keo) appeals from a judgment of dismissal following the sustaining, without leave to amend, of demurrers by defendants California Land Title Company...</p>	Feb. 25, 2015	Case		<p>8</p> <p>Cal.Rptr.3d</p>
Distinguished by	<p>133. Sato v. Bank of America, N.A.</p> <p>2015 WL 915482 , Cal.App. 1 Dist. Genro Sato and Graciela Tiscareno—Sato ran into financial difficulty and were unable to pay their mortgage. They claim defendants promised them a permanent, affordable loan...</p>	Mar. 02, 2015	Case		<p>8 12</p> <p>Cal.Rptr.3d</p>
Distinguished by	<p>134. Miller v. Aurora Loan Services, LLC</p> <p>2015 WL 1003907 , Cal.App. 1 Dist. Appellant Mary Miller filed this suit against several entities connected with her mortgage after a nonjudicial foreclosure proceeding was initiated. On appeal, she contends the...</p>	Mar. 04, 2015	Case		<p>8</p> <p>Cal.Rptr.3d</p>
Distinguished by	<p>135. Basgall v. Federal National Mortgage Association</p> <p>2015 WL 1088032 , Cal.App. 2 Dist. Wayne and Patricia Basgall (collectively the Basgalls) appeal from a judgment of dismissal entered after the trial court sustained without leave to amend the demurrer jointly filed...</p>	Mar. 11, 2015	Case		<p>10 11</p> <p>Cal.Rptr.3d</p>
Distinguished by	<p>136. Kennedy v. World Savings Bank, FSB ¶¶</p> <p>2015 WL 1814634 , N.D.Cal. Plaintiff William R. Kennedy ("Plaintiff"), proceeding pro se, brings this action to prevent foreclosure of his home. He sues Defendants World Savings Bank, FSB ("World Savings...</p>	Apr. 21, 2015	Case		<p>8 12</p> <p>Cal.Rptr.3d</p>
Distinguished by	<p>137. Ennis v. Chase Bank N.A.</p> <p>2015 WL 1933920 , Cal.App. 1 Dist. Michael J. Ennis filed this lawsuit after respondents JPMorgan Chase Bank, N.A. and California Reconveyance Company initiated proceedings to foreclose on his home. The trial...</p>	Apr. 29, 2015	Case		<p>8</p> <p>Cal.Rptr.3d</p>
Distinguished by	<p>138. Harjo v. Deutsche Bank National Trust Company</p> <p>2015 WL 2400475 , Cal.App. 4 Dist.</p>	May 20, 2015	Case		<p>8</p> <p>Cal.Rptr.3d</p>

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Treatment	Title	Date	Type	Depth	Headnote(s)
	Plaintiffs and appellants Ben R. Harjo and Jennifer E. Harjo filed a complaint against an assignee of a deed of trust on their home, defendant and respondent Nationstar Mortgage...				
Distinguished by	139. Pike v. Deutsche Bank National Trust Company 121 A.3d 279 , N.H. REAL PROPERTY - Mortgages and Deeds of Trust. Mortgagor's grantee lacked standing to challenge assignment of mortgage to trust that was merely voidable, in trust's action for...	July 15, 2015	Case		9 Cal.Rptr.3d
Distinguished by	140. Flannigan v. Onuldo, Inc. 2015 WL 4557043 , Cal.App. 4 Dist. In this case, a defaulting homeowner who has failed to tender loan payments seeks to set aside a nonjudicial foreclosure sale. Plaintiff and appellant Karolyn Flannigan...	July 29, 2015	Case		8 12 Cal.Rptr.3d
Distinguished by	141. Codilla v. Select Portfolio Servicing, Inc. 2015 WL 5313407 , Cal.App. 4 Dist. Plaintiff and appellant Theresa Codilla is a property owner who defaulted on a real estate loan. The gravamen of her suit against defendants and respondents Select Portfolio...	Sep. 11, 2015	Case		8 12 Cal.Rptr.3d
Distinguished by	142. Keo v. Nationstar Mortgage LLC 2015 WL 5680219 , Cal.App. 1 Dist. Plaintiff Chanht Reatrey Keo (Keo) appeals from a judgment of dismissal following the sustaining, without leave to amend, of a demurrer by defendant Nationstar Mortgage LLC...	Sep. 28, 2015	Case		13 Cal.Rptr.3d
Distinguished by	143. Ikeoka v. U.S. Bank, N.A. ¶¶ 2015 WL 5697605 , Cal.App. 6 Dist. Appellant Cindy Ikeoka obtained a loan from Chevy Chase Bank, F.S.B. (Chevy Chase Bank) in the amount of \$1,470,000. The loan transaction included an adjustable rate rider and a...	Sep. 29, 2015	Case		7 12 13 Cal.Rptr.3d
Distinguished by	144. Odell v. Bank of America, N.A. ¶¶ 2015 WL 6167546 , Cal.App. 2 Dist. Plaintiff and appellant Michael Odell appeals from the judgment entered after the trial court sustained the demurrer without leave to amend of defendants and respondents Bank of...	Oct. 21, 2015	Case		8 9 12 Cal.Rptr.3d
Distinguished by	145. Delgado v. Bank of America, N.A. 2015 WL 7307041 , Cal.App. 4 Dist. Plaintiffs and appellants David and Viola Delgado sued defendant and respondent Bank of America, N.A. after they defaulted on their mortgage loan. Plaintiffs allege that defendant...	Nov. 19, 2015	Case		12 Cal.Rptr.3d
Distinguished by	146. Abe v. Wells Fargo Bank ¶¶ 2015 WL 7890519 , Cal.App. 2 Dist.	Dec. 04, 2015	Case		8 9 Cal.Rptr.3d

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Treatment	Title	Date	Type	Depth	Headnote(s)
	Joseph and Jonelen Abe appeal from a judgment of dismissal, following an order sustaining the demurrer of respondents Wells Fargo Bank, N.A., (Wells Fargo), HSBC Bank, N.A. (HSBC),...				
Distinguished by	 147. Tylo v. JPMorgan Chase Bank ¶¶ 2015 WL 8814340 , Cal.App. 2 Dist. Plaintiff Deborah Hunter Tylo sued her mortgage loan servicer, JPMorgan Chase Bank, N.A. (Chase), and the trustee of the securitized trust holding her loan, Bank of America, N.A....	Dec. 15, 2015	Case	██████	9 13 14 Cal.Rptr.3d
Distinguished by	148. Yagman v. Bray 2015 WL 10433429 , C.D.Cal. Having reviewed and considered all the briefing filed with respect to Nationstar Mortgage LLC, Nationstar Mortgage Holdings, Inc., and Nationstar Capital Corporation's...	Dec. 29, 2015	Case	██████	8 12 Cal.Rptr.3d
Distinguished by	 149. Jamali v. Bank of America Home Loans ¶¶ 2016 WL 70062 , Cal.App. 2 Dist. Plaintiff, Parvin Jamali, appeals from a March 10, 2014 judgment of dismissal in favor of defendants: Bank of America, N.A., as successor-by-merger to Bank of America Home Loans...	Jan. 06, 2016	Case	██████	8 9 12 Cal.Rptr.3d
Distinguished by	 150. Rupnow v. Bank of America, N.A. ¶¶ 2016 WL 193505 , Cal.App. 2 Dist. Plaintiff Carmelita Rupnow sued her home loan servicer, Bank of America, N.A. (Bank of America), the trustee of the securitized trust holding her loan, Deutsche Bank National Trust...	Jan. 14, 2016	Case	██████	9 14 Cal.Rptr.3d
Distinguished by	151. Simmons v. Aurora Bank FSB ¶¶ 2016 WL 192571 , N.D.Cal. Plaintiff Gale Simmons sues for alleged violations of state and federal law in connection with the foreclosure on her home loan. The overall theme of this lawsuit is that due to...	Jan. 15, 2016	Case	██████	13 14 Cal.Rptr.3d
Limitation of Holding Recognized by	152. In re Mullin ¶¶ 2014 WL 5840364 , 9th Cir.BAP (Cal.) Debtors Richard Mullin and Gail Harsma appeal from the bankruptcy court's order dismissing with prejudice their first and second amended adversary complaints filed against...	Nov. 10, 2014	Case	██████	8 12 Cal.Rptr.3d