

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

MORTGAGE RESOLUTION SERVICING,  
LLC, 1ST FIDELITY LOAN SERVICING,  
LLC, and S & A CAPITAL PARTNERS, INC.,

Plaintiffs,

v.

JPMORGAN CHASE BANK, N.A., CHASE  
HOME FINANCE, LLC, and JPMORGAN  
CHASE & CO.,

Defendants.

No. 15-CV-00293(LTS)(JCF)

**ORDER PERMITTING THE  
FILING OF A THIRD AMENDED  
COMPLAINT, EXTENDING TIME  
TO ANSWER, MOVE, OR  
OTHERWISE RESPOND THERETO,  
AND STAYING SUBMISSION OF  
ANY SUCH MOTION AND  
STAYING DISCOVERY PENDING  
DETERMINATION OF THE  
TRANSFER MOTION**

**THIS MATTER** being opened to the Court by Becker & Poliakoff, LLP, as new counsel for the Plaintiffs, for an Order, without opposition: (a) extending Plaintiffs' time to respond to the pending motion to transfer (ECF Doc. No. 42); (b) permitting the filing of a Third Amended Complaint and setting a briefing schedule with respect thereto; (c) staying submission of any motion to dismiss with respect to the Third Amended Complaint until the transfer motion is decided; and (d) staying discovery herein until the motion to transfer is decided, except if such discovery is related to the transfer motion or an emergency situation exists;

**WHEREAS**, there are two motions currently pending before the Court: a motion by Defendants to transfer venue, filed on May 22, 2015 (ECF Doc. No. 42); and a motion by Defendants to dismiss, filed on May 14, 2015 (ECF Doc. No. 35);

**WHEREAS**, by text order dated June 1, 2015, the Court granted Plaintiffs' letter motion extending Plaintiffs' time to answer the transfer motion to June 25, 2015 and extending Defendants' time to reply thereto to July 16, 2015. (ECF Doc. No. 49);

**WHEREAS**, Plaintiffs' opposition to the pending motion to dismiss is due no later than July 17, 2015;

**WHEREAS**, Plaintiffs have recently changed counsel, with the law firm of Becker & Poliakoff, LLP entering a notice of appearance for Plaintiffs on June 5, 2015 (ECF Doc. Nos. 54, 55);

**WHEREAS**, there have been no other extension requests; and

**WHEREAS**, Defendants do not object to the granting of Plaintiffs' Motion provided that it is granted in its entirety; and for good cause shown,

**IT IS** on this \_\_\_\_ day of \_\_\_\_\_ 2015,

**ORDERED** as follows:

1. Plaintiffs shall file their opposition to Defendants' motion to transfer by July 9, 2015. Defendants may file any reply thereto no later than July 30, 2015.

2. Plaintiffs shall file a Third Amended Complaint no later than July 31, 2015. Defendants will have 45 days to answer, reply or otherwise move with respect to the Third Amended Complaint. In the event the motion to transfer remains pending at the expiration of the 45 day period, Defendants shall file any motion to dismiss 14 days after a ruling on the transfer motion.

3. Neither party is permitted to seek discovery herein, or seek to enforce existing discovery demands, until the transfer motion is decided, except to the extent such discovery relates to the transfer motion or an emergency situation exists.

**SO ORDERED:**

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Hon. James C. Francis, U.S.M.J.