

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**U.S. BANK NA, SUCCESSOR TRUSTEE §
TO BANK OF AMERICA, NA, §
SUCCESSOR IN INTEREST TO §
LASALLE BANK NATIONAL §
ASSOCIATION, AS TRUSTEE, ON §
BEHALF OF THE HOLDERS OF THE §
BEAR STEARNS ASSET BACKED §
SECURITIES I TRUST 2004-HE10, §
ASSET-BACKED CERTIFICATES, §
SERIES 2004-HE-10, §
Plaintiff, §**

Civil Action No. 4:22-cv-01120

v. §

**ISRAEL F. CADENA and §
SANDRA CADENA, §
Defendants. §**

**PLAINTIFF’S MOTION FOR CONTINUANCE OF INITIAL
PRETRIAL AND SCHEDULING CONFERENCE**

COMES NOW Plaintiff U.S. Bank NA, successor trustee to Bank of America, NA, successor in interest to Lasalle Bank National Association, as trustee, on behalf of the holders of the Bear Stearns Asset Backed Securities I Trust 2004-HE10, Asset-Backed Certificates, Series 2004-HE-10 (“Plaintiff” or “U.S. Bank”) files this, its *Motion for Continuance of Initial Pretrial and Scheduling Conference* (“Motion”), and respectfully show as follows:

1. Plaintiff filed its Original Complaint (“Complaint”) in this action against Defendants Israel F. Cadena and Sandra Cadena (“Defendants”). (ECF Document No. 1.) All Defendants have been served and no answer has been filed on behalf of any of them. (ECF Documents No. 10 and 11.)

2. An Initial Pretrial and Scheduling Conference is currently set for August 26, 2022, at 10:30 am. (ECF Document No. 12.) Defendants recently submitted a completed loss mitigation application which is currently being reviewed by Plaintiff.

3. As a result, Plaintiff is requesting a thirty-day (30) continuance of the Initial Conference to avoid wasting the time and resources of this Court while Plaintiff is reviewing Defendants' loss mitigation application.

4. This request is not sought for purposes of delay, but so that justice may be done.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that the Court grant this Motion and continue the Initial Conference, and for such other relief to which Plaintiff may be entitled.

Respectfully submitted,

By: /s/ Nicholas M. Frame
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CERTIFICATE OF CONFERENCE

The undersigned certifies that no Defendants have filed an answer and/or otherwise appeared in this action. Therefore, a certificate of conference is not necessary.

/s/ Nicholas M. Frame
NICHOLAS M. FRAME