

FILED

AUG 03 2016

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

RANDY LIU; et al.,

Plaintiffs - Appellants,

v.

NORTHWEST TRUSTEE SERVICES,
INC.,

Defendant,

and

FEDERAL NATIONAL MORTGAGE
ASSOCIATION,

Defendant-Appellee.

No. 14-35202

D.C. No. 3:12-CV-00484-BR

MEMORANDUM*

Appeal from the United States District Court
for the District of Oregon
Anna J. Brown, District Judge, Presiding

Argued and Submitted November 6, 2015
Portland, Oregon

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

Before: BERZON and WATFORD, Circuit Judges, and SOTO,** District Judge.

The district court properly entered summary judgment for the defendants and denied the plaintiffs' motion for leave to amend their complaint as futile. The plaintiffs argue that the foreclosure sale of their property was invalid because the notice of sale that they received did not identify the proper beneficiary of the trust deed. However, the Oregon Trust Deed Act forbids post-sale challenges based on this technical defect, for the reasons stated in *Woods v. U.S. Bank N.A.*, __ F.3d __ (9th Cir. 2016). *See* Or. Rev. Stat. § 86.797(1) (formerly § 86.770(1)).

AFFIRMED.

** The Honorable James Alan Soto, United States District Judge for the U.S. District Court for the District of Arizona, sitting by designation.