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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

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Jane Ritzenthaler; Richard Ritzenthaler,)

No. CV 11-1500-PHX-JAT

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Plaintiffs,)

ORDER

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vs.)

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Bank of America; et al.,)

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Defendants.)

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On May 7, 2012, Defendants filed a motion to dismiss (Doc. 29). Plaintiffs failed to timely respond. After their time to respond expired, Plaintiffs moved for an extension of time. The Court granted that motion and issued the following Order:

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On May 7, 2012, Defendants filed a motion to dismiss this case. After the deadline to respond expired, Plaintiffs move for an extension of time to respond. The Court will grant the motion; however, if Plaintiffs fail to respond within this deadline, the Court will summarily grant the motion and dismiss the case for failure to prosecute and failure to comply with a court order. *See* Federal Rule of Civil Procedure 41(b); Local Rule Civil 7.2(i); *Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Therefore, IT IS ORDERED that the 30 motion for extension of time is granted. Plaintiffs shall respond to the motion to dismiss by July 13, 2012.

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Doc. 31.

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Plaintiffs again failed to timely respond.¹ As the Court previously cautioned, the

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¹ Plaintiffs did ultimately file a late response and sought to amend the complaint for the second time. Docs. 32 and 33.

1 Court will summarily grant the motion to dismiss for failure to comply with a Court order.

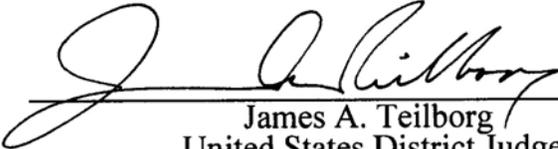
2 *See* Fed. R. Civ. Pro. 41(b). Accordingly,

3 **IT IS ORDERED** that Defendants' motion to dismiss (Doc. 29) is granted; the Clerk
4 of the Court shall enter judgment in favor of Defendants and against Plaintiffs, with
5 prejudice.

6 **IT IS FURTHER ORDERED** that any other pending motions are denied as moot.

7 DATED this 10th day of August, 2012.

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James A. Teilborg
United States District Judge