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10	Attorneys for Defendants RECONTRUST COMPANY, N.A. and COUNTRYWIDE HOME LOANS, INC.		
11			
12	UNITED STATES DISTRICT COURT		
13	CENTRAL DISTRICT OF CALI	FORNIA, WESTERN DIVISION	
14			
15	PRACHONG THOMRONGSITH,	Case No.: 08CV-07184 PSG (PLAx)	
16	Plaintiff,	[Assigned to Hon. Philip S. Gutierrez;	
17	VS.	Dept. 790, Roybal]	
18	RECONTRUST COMPANY, COUNTRYWIDE HOME LOANS, INC.	ENTRY OF JUDGMENT OF	
19	and DOES 1-50, inclusive,	DISMISSAL	
20	Defendants.		
21			
22	Having reviewed the Court's docket and the papers on file in the above-		
23	captioned matter, the Court finds the following:		
24	1. On September 25, 2008, Plaintiff Prachong Thomrongsith ("Plaintiff")		
25	filed the instant action against Defendants Recontrust Company, N.A., and		
26	Countrywide Home Loans, Inc. (collectively "Defendants").		
27	2. On October 30, 2008, Defendants timely removed the action from the		
28	Superior Court for the County of Los Angeles to this Court.		

1	3.	On November 6, 2008, Defe	endant filed a motion to dismiss to each of
2	the three causes of action asserted in Plaintiff's Complaint based on the uncertainty		
3	of the claims and Plaintiff's failure to state a valid cause of action.		
4	4. The motion to dismiss was heard on January 12, 2009. The Court		
5	sustained Defendant's unopposed motion to dismiss with leave to amend, and issued		
6	its order providing that "the First Amended complaint shall be filed by January 27,		
7	2009. If First Amended complaint is not filed, complaint will be dismissed with		
8	prejudice."		
9	5.	Plaintiff failed to file an ame	ended complaint by January 27, 2009.
10	Accordingly, for the reasons set forth above, IT IS ORDERED,		
11	ADJUDGED AND DECREED as follows:		
12	That Defendants have judgment against Plaintiff Prachong Thomrongsith on		
13	all claims, that Plaintiff take nothing by virtue of his complaint, and that this action		
14	is hereby dismissed, with prejudice.		
15			
16	Dated:2/2/0	09	PHILIP S. GUTIERREZ
17			United States District Court Central District of California
18	Respectfully submitted by:		
19	Stacey L. H	Herter, Esq.	
20	Marc H. Phelps, Esq.  BRYAN CAVE LLP		
21	BRYANC	AVELLP	
22	By:/s/	Stacey L. Herter	
23		ey L. Herter	
24	Attorneys for Defendants RECONTRUST COMPANY, N.A. and		
25	COUNTRY	YWIDE HOME LOANS, INC	
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## PROOF OF SERVICE 1 2 I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is Bryan 3 Cave LLP, 120 Broadway, Suite 300, Santa Monica, CA 90401. 4 On January 29, 2009, I served the foregoing documents, described as 5 [PROPOSED] ENTRY OF JUDGEMENT OF DISMISSAL, on each interested party in this action by placing a true copy (or original) thereof in a sealed envelope 6 addressed as follows: 7 Mitchell W. Roth 8 Scott M Gitlen 9 MW Roth PLC 13245 Riverside Drive, Suite 320 10 Sherman Oaks, CA 91423 11 P: 818-989-7888; F: 323-372-3547 12 M (BY U.S. MAIL) I placed a true copy (or original) of the foregoing 13 document in a sealed envelope addressed to each interested party as set forth above. I placed each such envelope, with postage thereon fully prepaid, for collection and 14 mailing at Bryan Cave LLP, Santa Monica, California. I am readily familiar with 15 Bryan Cave LLP's practice for collection and processing of correspondence for mailing with the United States Postal Service. Under that practice, the 16 correspondence would be deposited in the United States Postal Service on that same 17 day in the ordinary course of business. 18 Executed on January 29, 2009, at Santa Monica, California. 19 (FEDERAL ONLY) I declare that I am employed in the office of a 20 member of the bar of this Court at whose direction the service was made. 21 I declare under penalty of perjury under the laws of the State of California 22 that the foregoing is true and correct. 23 /s/ Diane Kinder Diane Kinder 24 25 26 27 28