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United States District Court
Central District of California

REBECCA L. BOND,

Plaintiff,

v.

ONEWEST BANK FSB; OCWEN LOAN
SERVICING,

Defendants.

Case № 2:15-cv-8701-ODW (ASx)

**ORDER TO SHOW CAUSE RE:
FAILURE TO OPPOSE MOTION TO
DISMISS**

On December 15, 2015, Defendant Ocwen Loan Servicing, LLC moved to dismiss Plaintiff's Complaint under Federal Rule of Civil Procedure 12(b). The Motion is currently set for hearing on January 25, 2016. Under Local Rule 7-9, Plaintiff's opposition to the Motion was due on January 4, 2016. To date, the Court has not received any opposition. The failure to timely file an opposition to a Motion to Dismiss is grounds for granting the Motion. C.D. Cal. Local Rule 7-12; *Enders v. Countrywide Home Loans, Inc.*, No. C 09-3213SBA, 2009 WL 4018512, at *2 (N.D. Cal. Nov. 16, 2009) ("The Ninth Circuit has held that the failure to file an opposition to a motion to dismiss is grounds for granting the motion." (citing *Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995))).

The Court therefore **ORDERS** Plaintiff on or before **January 25, 2016**, to either:

1 (1) File a written explanation with the Court as to why the Motion should not
2 be granted without leave to amend for failure to file an opposition; or

3 (2) File an opposition to the Motion.

4 If Plaintiff files an opposition to the Motion, Defendant shall have seven days to
5 file a Reply. Moreover, the Court deems this matter appropriate for decision without
6 oral argument, and therefore **VACATES** the hearing on the Motion [8] and will take it
7 under submission. Fed. R. Civ. P. 78; C.D. Cal. Local Rule 7-15. The Court will
8 issue a ruling based on the papers.

9 **Plaintiff is cautioned that failure to timely respond to this Order may**
10 **result in the action being dismissed in its entirety without further notice from the**
11 **Court.** The Court advises Plaintiff that a Federal Pro Se Clinic is located in the
12 United States Courthouse at 312 N. Spring Street, Room 525, Fifth Floor, Los
13 Angeles, California 90012. The clinic is open for appointments on Mondays,
14 Wednesdays, and Fridays from 9:30 a.m. to 12:00 p.m. and 2:00 p.m. to 4:00 p.m.
15 The Federal Pro Se Clinic offers free, on-site information and guidance to individuals
16 who are representing themselves in federal civil actions. For more information,
17 Plaintiff may visit <http://www.cacd.uscourts.gov> and follow the link for
18 “Pro Se Clinic—Los Angeles,” or contact Public Counsel at 213-385-2977, extension
19 270. Plaintiff is encouraged to visit the clinic, or seek the advice of an attorney, as
20 this case proceeds.

21
22 **IT IS SO ORDERED.**

23
24 January 7, 2016

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27 **OTIS D. WRIGHT, II**
28 **UNITED STATES DISTRICT JUDGE**