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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
3470 Twelfth Street, Riverside, CA 92501  
CIVIL MINUTES -- GENERAL

Case No. ED CV 08-01121-SGL(JTLx)

Date: November 3, 2008

Title: ROBIN WITTE and DAN WITTE -v- CTX MORTGAGE, LLC., ET AL.

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PRESENT: HONORABLE STEPHEN G. LARSON, UNITED STATES DISTRICT JUDGE

Jim Holmes  
Courtroom Deputy Clerk

Theresa Lanza  
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFFS:

ATTORNEYS PRESENT FOR DEFENDANTS:

Timothy L. McCandless

Thomas N. Abbott

PROCEEDINGS: **Defendant's Motion to Dismiss, No. 5 (efiled 9/9/08)**

This matter was heard on November 3, 2008. Defendant's motion is **GRANTED**. The action is dismissed without prejudice. Plaintiff is granted ten days' leave to amend the complaint.

The Court has not considered, and hereby **STRIKES** the unauthorized "Sur Reply" filed by plaintiffs on October 31, 2008.

**IT IS SO ORDERED.**