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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**CIVIL MINUTES - GENERAL**

Case No. SACV 08-1417 DOC (RNBx)

Date: January 16, 2009

Title: RAFAEL ALZAGA and CELIA ROCHA V. T.D. SERVICE COMPANY, HOMEQ  
SERVICING, and DOES 1-50

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**DOCKET ENTRY**

[I hereby certify that this document was served by first class mail or Government messenger service, postage prepaid, to all counsel (or parties) at their respective most recent address of record in this action on this date.]

Date: \_\_\_\_\_ Deputy Clerk: \_\_\_\_\_

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**PRESENT:**

THE HONORABLE DAVID O. CARTER, JUDGE

Kristee Hopkins  
Courtroom Clerk

Not Present  
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFFS: ATTORNEYS PRESENT FOR DEFENDANTS:

NONE PRESENT

NONE PRESENT

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**PROCEEDING (IN CHAMBERS): ORDER GRANTING MOTION TO DISMISS AS UNOPPOSED**

Defendant Barclays Capital Real Estate Inc., erroneously named Homeq Servicing in Plaintiffs' Complaint, filed its Motion to Dismiss on December 22, 2008, and set a hearing on the Motion for January 26, 2009. Plaintiffs' Opposition to the Motion, if any, was due on or before January 12, 2009. At present, Plaintiffs have failed to file an Opposition.

Accordingly, pursuant to Local Rule 7-12, the Motion is hereby **GRANTED AS UNOPPOSED**. Plaintiffs' Complaint is hereby **DISMISSED WITHOUT PREJUDICE** as to Defendant Barclays Capital Real Estate.

The Clerk shall serve this minute order on all parties to the action.

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Initials of Deputy Clerk \_kh\_  
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