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 BAC HOME LOANS SERVICING, LP  
 7 (erroneously sued as "BANK OF AMERICA, COUNTRYWIDE")

8  
 9 **UNITED STATES DISTRICT COURT**  
 10 **EASTERN DISTRICT OF CALIFORNIA – FRESNO DIVISION**

11 MARICELA VERDE HERNANDEZ,  
 12  
 13 Plaintiffs  
 14 v.  
 15 BANK OF AMERICA, COUNTRYWIDE  
 16 Defendants.

Case No. 1:11-CV-00001-OWW-JLT  
**ORDER GRANTING BAC'S MOTION  
 FOR JUDGMENT ON THE PLEADINGS/  
 MOTION FOR SUMMARY JUDGMENT**

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The Motion for Judgment on the Pleadings or, in the alternative, for Summary Judgment pursuant to Rules 12(c) and 56 of the Federal Rules of Civil Procedure (“Motion”) by BAC Home Loans Servicing, LP (“BAC”) (erroneously sued as “BANK OF AMERICA, COUNTRYWIDE”) to the Complaint of Plaintiff Maricela Verde Hernandez (“Plaintiff”) was noticed for hearing on March 21, 2011. In a March 15 minute order, the Honorable Oliver W. Wanger took the matter off calendar and submitted the motion for decision on the papers. In an abundance of caution, the Court issued an order in May 2011 ordering Plaintiff’s counsel to serve notice of the pending motion on Plaintiff and return a proof of service, and serve Plaintiff’s counsel by U.S. Mail. The Court did not receive any proof of service or other communication from Plaintiff or Plaintiff’s counsel. Upon consideration of the papers filed in support of the Motion, and good cause appearing therefore, the Court

HEREBY ORDERS that:  
BAC’s Motion is GRANTED in its entirety.  
IT IS SO ORDERED.

Dated: May 23, 2011 /s/ OLIVER W. WANGER  
United States District Judge