UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA Baldev Gill and Gurmeet Gill, 1:11-cv-00218 OWW GSA Plaintiffs, ORDER TO SHOW CAUSE RE 10 DISMISSAL FOR LACK OF v. PROSECUTION 11 Wells Fargo Bank, N.A., et al., 12 Defendants. 13 14 This case concerns mortgages securing real property in Fresno, 15 California. A July 8, 2011 order granted Defendants Wells Fargo Bank, 16 N.A.'s ("Wells Fargo") and Federal Home Loan Mortgage Corporation's 17 ("Freddie Mac") motions to dismiss with leave to amend. Plaintiffs, 18 who are represented by counsel, were given until July 26, 2011 to file 19 an amended complaint. As of the date of issuance of this order, no 20 21 amended complaint has been filed, nor have Plaintiffs otherwise 22 demonstrated intent to prosecute this matter.

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In addition to Wells Fargo and Freddie Mac, the original Complaint, removed from Fresno County Superior Court to the Eastern District of California, named "CAL WESTERN RECONVEYANCE CORPORATION" as a Defendant. Doc. 1-1. It is unclear whether this party was ever served; no appearance has been entered on its behalf.

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Plaintiffs are ordered to show cause in writing on or before October 17, 2011, why this case should not be dismissed in its entirety for lack of prosecution.

Due to the pending retirement of the assigned district judge, the parties will shortly receive notice of reassignment of this case. That notice shall not alter the deadline for the filing of a response to this order to show cause.

IT IS SO ORDERED.

Dated: September 27, 2011

## /s/ Oliver W. Wanger UNITED STATES DISTRICT JUDGE