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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JULITA RUPISAN, et al.,

CASE NO. 1:12-CV-00768-LJO-MJS

Plaintiffs,

ORDER DISMISSING ACTION AS  
DUPLICATIVE

v.

CLERK TO CLOSE CASE

JP MORGAN CHASE BANK, N.A., et al.,

Defendants.

\_\_\_\_\_ /

On March 2, 2012, Defendants JP Morgan Chase Bank, N.A., California Reconveyance Company, and Deutsche Bank National Trust ("Removing Defendants") removed this matter from the Superior Court of the State of California, County of Stanislaus to the United States District Court for the Eastern District of California.  
(Notice of Removal, ECF No. 1.)

1 Removal documents were filed in both the United States District Court for the  
2 Eastern District of California-Sacramento Division and the United States District Court  
3 for the Eastern District of California-Fresno Division, which following transfer from the  
4 Sacramento Division resulted in this matter being assigned within the Fresno Division  
5 an initial Case Number 12-cv-00327-AWI-GSA, and a subsequent Case Number 12-cv-  
6 00768-LJO-MJS. The latter action being entirely duplicative of the former.  
7

8 “After weighing the equities of the case, the district court may exercise its  
9 discretion to dismiss a duplicative later-filed action, to stay that action pending  
10 resolution of the previously filed action, to enjoin the parties from proceeding with it, or  
11 to consolidate both actions.” Adams v. California Dept. of Health Services, 487 F.3d  
12 684, 688 (9th Cir.2007). “Plaintiffs generally have ‘no right to maintain two separate  
13 actions involving the same subject matter at the same time in the same court and  
14 against the same defendant.” Id. (quoting Walton v. Eaton Corp., 563 F.2d 66, 70 (3d  
15 Cir.1977)). “[A] suit is duplicative if the claims, parties, and available relief do not  
16 significantly differ between the two actions.” Id. at 689.  
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18 The complaint in the instant action is duplicative and should be dismissed for  
19 that reason.  
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1 Accordingly, it is HEREBY ORDERED that:

- 2 1. The Complaint in this action be dismissed as duplicative of the Complaint  
3 in case 1:12-cv-00327-AWI-GSA, Julita Rupisan, et al., v. JP Morgan  
4 Chase Bank, N.A., et al., and  
5 2. The Clerk of Court be directed to close this case.  
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13 IT IS SO ORDERED.  
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15 **Dated: June 27, 2012**

**/s/ Lawrence J. O'Neill**  
UNITED STATES DISTRICT JUDGE