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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

KENNETH G. BEAVERS,)	Case No.: 1:17-cv-00747 - JLT
Plaintiff,)	
v.)	ORDER DISMISSING CLAIMS 1, 3, 4 AND 5 OF
)	THE SECOND AMENDED COMPLAINT AND
)	ALL DEFENDANTS EXCEPT NEW PENN
NEW PENN FINANCIAL LLC, dba)	FINANCIAL LLC, dba SHELLPOINT MORTGAGE
SHELLPOINT MORTGAGE SERVICING;)	SERVICING AND FEDERAL HOME LOAN
RESURGENT CAPITAL SERVICES LP;)	MORTGAGE CORPORATION WITH
RESURGENT MORTGAGE SERVICING;)	PREJUDICE
FEDERAL HOME LOAN MORTGAGE)	
CORPORATION; and DOES 1-50,)	(Doc. 44)
)	
Defendants.)	
)	

On January 11, 2018, the Court granted the defendants’ motion to dismiss. (Doc. 41) The Court’s order provided Mr. Beavers either 30 days to file a third amended complaint or to notify the Court that he wished to proceed only the second claim raising a violation of the Privacy Act. Id. at 12-13. On February 9, 2018, Mr. Beavers filed a notification indicating that, due to a business crisis, elects not to file a third amended complaint. (Doc. 44) Likewise, he reports that he will attempt to hire a lawyer to prosecute this action on his behalf. Id. at 3. Therefore, the Court **ORDERS:**

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1. All claims in the second amended complaint are **DISMISSED except for** the second claim raising a violation of the Privacy Act. Consequently, all defendants **except for** New Penn Financial LLC, dba Shellpoint Mortgage Servicing and Federal Home Loan Mortgage Corporation are **DISMISSED WITH PREJUDICE.**

IT IS SO ORDERED.

Dated: February 12, 2018

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE