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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

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SCOTT W. WOODS,  
Plaintiff,

NO. CIV. 2:09-1810 WBS KJM

v.

ORDER FOR ENTRY OF JUDGMENT ON  
PLAINTIFF'S CLAIM AGAINST  
GREENPOINT

GREENPOINT MORTGAGE FUNDING,  
INC.; GMAC MORTGAGE, LLC;  
AURORA LOAN SERVICES, LLC;  
U.S. BANK NATIONAL  
ASSOCIATION, AS TRUSTEE FOR  
GREENPOINT MORTGAGE FUNDING  
TRUST MORTGAGE PASS-THROUGH  
CERTIFICATES, SERIES 2006-AR7;  
and DOES 1 through 50,  
inclusive,

Defendants.

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Plaintiff Scott W. Woods filed this action against  
Greenpoint Mortgage Funding, Inc. ("Greenpoint"), GMAC Mortgage,  
LLC, Aurora Loan Services, LLC, and U.S. Bank National  
Association as trustee for Greenpoint Mortgage Funding Trust  
Mortgage Pass-Through Certificates, Series 2006-AR7, alleging

1 various state and federal claims relating to a loan he obtained  
2 to refinance his home in Folsom, California. The only claim  
3 alleged against Greenpoint in the Second Amended Complaint was  
4 plaintiff's claim for violation of the Truth in Lending Act  
5 ("TILA"), 15 U.S.C. §§ 1601-1667f. On July 28, 2010, the court  
6 granted Greenpoint's motion to dismiss that claim, pursuant to  
7 Federal Rule of Civil Procedure 12(b)(6) and allowed plaintiff  
8 thirty days to file an amended complaint, to the extent plaintiff  
9 could do so consistent with the Order. (Docket No. 71.)

10 Plaintiff did not file an amended complaint within the  
11 allotted thirty days and still has not done so to this date, over  
12 two months later. On September 13, 2010, defendant filed a  
13 motion to dismiss the action under Rule 41(b) of the Federal  
14 Rules of Civil Procedure. Plaintiff filed no opposition to that  
15 motion. Under the circumstances, the court assumes that  
16 plaintiff does not intend to file an amended complaint against  
17 Greenpoint.

18 IT IS THEREFORE ORDERED that the Clerk of the Court  
19 enter final judgment in favor of Greenpoint on plaintiff's claim  
20 against Greenpoint.

21 DATED: October 25, 2010

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24 WILLIAM B. SHUBB  
25 UNITED STATES DISTRICT JUDGE  
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