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6 **UNITED STATES DISTRICT COURT**  
 7 **EASTERN DISTRICT OF CALIFORNIA**  
 8 **SACRAMENTO DIVISION**

8 RICHARD ROWLAND,	)	Case 2:10-cv-00402-JAM-KJN
	)	
9 Plaintiff,	)	<b>ORDER</b>
	)	
10 v.	)	<b>Date: February 9, 2011 at 9:30AM</b>
	)	<b>Courtroom: 6</b>
11 GENPACT SERVICES, LLC,	)	<b>Hon. John A. Mendez</b>
	)	
12 Defendant	)	
	)	

13  
 14 After reviewing the briefs of the parties and hearing oral argument on the same, the Court  
 15 concludes that issues of fact exist as to whether Defendant’s conduct violates sections 1692d and  
 16 1692d(5) of the Fair Debt Collection Practices Act and sections 1788.11(d) and 1788.11(e) of the  
 17 Rosenthal Fair Debt Collection Practices Act. Accordingly, Defendant’s Motion for Summary  
 18 Judgment is denied. Further, Plaintiff’s claims under 1692c(a)(1) and 1692d(6) under the Fair  
 19 Debt Collection Practices Act section 1788.11(b) under the Rosenthal Fair Debt Collection  
 20 Practices Act are hereby voluntarily withdrawn.

21 IT IS SO ORDERED.

22 Date : 2/11/2011 /s/ John A. Mendez  
 23 Honorable John A. Mendez  
 24 Judge of the District Court  
 25