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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LINA GLADKIHK,

No. 2:10-cv-00852-MCE-DAD

Plaintiff,

v.

MEMORANDUM AND ORDER

NATIONAL CITY MORTGAGE
CO., et al.,

Defendants.

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This action arises out of a mortgage loan transaction in which Plaintiff Lina Gladkihk ("Plaintiff") requested a home loan modification in 2009. Presently before the Court is a Motion by Defendants Green Tree Servicing, LLC and Federal National Mortgage Association ("Defendants") to Dismiss the claims alleged against them in Plaintiff's First Amended Complaint for failure to state a claim upon which relief may be granted pursuant to Federal Rule of Civil Procedure 12(b)(6). Plaintiff has failed to timely file an opposition.

Pursuant to Local Rule 230(c), opposition to a motion must be filed not less than fourteen (14) days prior to the date of the hearing.

1 The date of the hearing on the motion was set for September 16,
2 2010. Fourteen (14) days prior to the hearing was September 2,
3 2010. No opposition was filed as required.

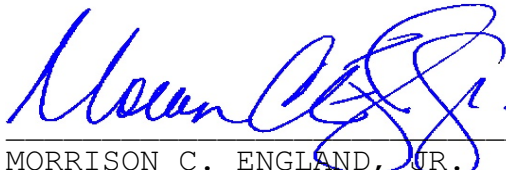
4 In light of the fact that no opposition was filed by
5 Plaintiff, Defendants' Motion to Dismiss¹ (ECF No. 19) is GRANTED
6 with leave to amend.

7 As a result of the failure to respond to this Motion, within
8 ten (10) days from the date this Memorandum and Order is
9 electronically filed, Plaintiff's counsel shall either
10 (1) personally pay sanctions in the amount of \$250.00 to the
11 Clerk of the Court², or (2) show good cause for the failure to
12 comply with Local Rule 230(c).

13 Plaintiff may file an amended complaint not later than
14 twenty (20) days after the date this Memorandum and Order is
15 filed electronically. If no amended complaint is filed within
16 said twenty (20)-day period, without further notice, Plaintiff's
17 claims will be dismissed without leave to amend.

18 IT IS SO ORDERED.

19 Dated: September 17, 2010

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21 
22 MORRISON C. ENGLAND, JR.
23 UNITED STATES DISTRICT JUDGE
24

25 _____
26 ¹ Because oral argument will not be of material assistance,
27 the Court orders this matter submitted on the briefs. E.D. Cal.
28 Local Rule 230(g).

² The Court is authorized to impose sanctions for failure to
comply with the Local Rules. E.D. Cal. Local Rule 110.