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

9
 10 KAREN QUINLAN aka KAREN
 BETZLER, an individual; BOB
 11 BETZLER, an individual,

12 Plaintiffs,

13 v.

14 CITIMORTGAGE, INC., a New York
 Corporation; ALLIED INTERNATIONAL
 15 CREDIT CORP., a Canadian Corporation;
 16 NATIONWIDE CREDIT, INC., a Georgia
 Corporation; PENTAGROUP FINANCIAL,
 17 LLC, a Texas Limited Liability Corporation;
 AMERICAN CORADIUS
 18 INTERNATIONAL, LLC, a Delaware Limited
 Liability Company; CITIFINANCIAL, INC., a
 19 Maryland Corporation; CITIBANK
 20 NATIONAL ASSOCIATION, a federally-
 chartered National Bank,

21 Defendants.

Case No. 2:11-cv-00986-MCE-EFB

Honorable Morrison C. England, Jr.

**ORDER GRANTING EX PARTE
 MOTION TO DISMISS FOR LACK OF
 PROSECUTION**

23
 24 On July 31, 2013 Defendant NATIONWIDE CREDIT, INC filed an Ex Parte Motion
 25 to Dismiss Plaintiffs' Third Amended Complaint as against Nationwide on grounds that
 26 Plaintiffs failed to file a Fourth Amended Complaint realleging their sole remaining potential
 27 claim against Nationwide, for Invasion of Privacy. By the terms of the Court's Memorandum
 28 and Order filed July 1, 2013, Plaintiffs' claims against Nationwide for violations of the Federal

ORDER RE MOTION TO DISMISS

1 Debt Collection Practices Act, 15 U.S.C. § 1692, et seq (as set forth in Plaintiffs' First and
2 Fifth Claims for Relief) and Plaintiff Quinlan's claim for violations of the California Rosenthal
3 Fair Debt Collection Practices Act, Cal. Civ Code § 1788, et seq., (Plaintiff's Second Claim for
4 Relief) were dismissed without leave to amend. Plaintiffs were, however, given leave to
5 amend their Sixth Claim for Relief, for Invasion of Privacy. No amended complaint has been
6 forthcoming despite the fact that well over 30 days have passed since the Court's Order
7 permitting amendment was issued.

8 The Court, having read and considered Defendant's Ex Parte Motion, and no opposition
9 having been made, hereby ORDERS as follows:

10 **GOOD CAUSE APPEARING, IT IS ORDERED** that Defendant NATIONWIDE
11 CREDIT, INC.'s Ex Parte Application to Dismiss for Lack of Prosecution (ECF No. 69) be
12 granted.

13 **IT IS FURTHER ORDERED** that all of Plaintiffs' claims against Defendant
14 NATIONWIDE CREDIT, INC. in this lawsuit are dismissed with prejudice in their entirety.

15 Dated: August 7, 2013

16 
17 MORRISON C. ENGLAND, JR., CHIEF JUDGE
18 UNITED STATES DISTRICT COURT