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8	UNITED STATES DISTRICT COURT	
9	EASTERN DISTRICT OF CALIFORNIA	
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11	JAMES KOURETAS,	No. 2:13-cv-02632-MCE-KJN
12	Plaintiff,	
13	٧.	ORDER
14	NATIONSTAR MORTGAGE HOLDINGS, INC. and BANK OF	
15	AMERICA, N.A.,	
16	Defendants.	
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18	On August 19, 2014, the Court granted Defendants' Motions to Dismiss, ECF	
19	Nos. 33, 35, without leave to amend as to Plaintiff's claims for wrongful foreclosure and	
20	financial elder abuse, and with leave to amend as to Plaintiff's claim for breach of the	
21	implied covenant of good faith and fair dealing. Mem. and Order, Aug. 19, 2014, ECF	
22	No. 49. Plaintiff was warned that the failure to file an amended complaint within twenty	
23	(20) days would result, without further notice to the parties, in the dismissal with	
24	prejudice of Plaintiff's claim for breach of the implied covenant of good faith and fair	
25	dealing and the closing of the case. See id. Plaintiff filed a Second Amended	
26	Complaint—two days late—on September 10, 2014, without leave of the Court.	
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1	Consequently, Plaintiff's claim for the breach of the implied covenant of good faith	
2	and fair dealing is DISMISSED WITH PREJUDICE and the Clerk of the Court is directed	
3	to CLOSE the case.	
4	Defendant Nationwide Mortgage Holdings, Inc. has moved to dismiss the Second	
5	Amended Complaint pursuant to Federal Rule of Civil Procedure 41(b), or in the	
6	alternative, Federal Rule of Civil Procedure 12(b)(6) ("Motion"). The Motion, ECF No.	
7	52, is DENIED without prejudice as moot.	
8	IT IS SO ORDERED.	
9	Dated: September 29, 2014	
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11	In All	
12	MORRISON C. ENGLAND, JR, CHIEF JUDGE	
13	UNITED STATES DISTRICT COURT	
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