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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IRENE KAY,

Plaintiff,

vs.

FIRST AMERICAN LOANSTAR TRUSTEE
SERVICES; AMERICA'S SERVICING CO.;
and DOES 1 through 50, inclusive,

Defendants.

Case No.: 3:08-cv-05323-MHP

~~PROPOSED~~ ORDER OF DISMISSAL

Judge: Hon. Marilyn H. Patel

Dept.: 15

The Court's Order To Show Cause, the Case Management Conference and the hearing on the motion of Defendant Wells Fargo Bank, N.A. dba America's Servicing Company (erroneously sued as America's Servicing Company) ("Wells Fargo") for an order dismissing the complaint or ordering a more definite statement all came on for hearing on April 20, 2009 at 3 p.m. before the Honorable Marilyn H Patel.

The matter was called at approximately 4 p.m. Mary Kate Sullivan appeared on behalf of defendant Wells Fargo and specially appeared on behalf of defendant First American Loanstar Trust Services. There was no appearance by plaintiff Irene Kay or in her behalf.

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Following a discussion on the record, the Court ordered as follows:

1. The case is dismissed for lack of prosecution.

IT IS SO ORDERED

DATED: April 27 _____, 2009

