

Bryan Cave LLP
Two Embarcadero Center, Suite 1410
San Francisco, California 94111

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TERRY BROWN and CAROLINE BROWN,

Plaintiffs,

vs.

COUNTRYWIDE HOME LOANS, INC., a
New York corporation, et al.

Defendant.

Case No. C-08-05383-TEH

~~PROPOSED~~ ENTRY OF JUDGMENT OF
DISMISSAL

1 Having reviewed the Court's docket and the papers on file in the above-captioned
2 matter, the Court finds the following:

3 1. On October 24, 2008, Plaintiffs Terry and Caroline Brown ("Plaintiffs") filed
4 the instant six-count action against Defendant Countrywide Home Loans, Inc.
5 ("Countrywide" or "Defendant"), in the Superior Court of California for the County of San
6 Francisco.

7 2. On December 1, 2008, Defendant timely removed the action from the
8 Superior Court for the County of San Francisco to this Court.

9 3. On December 8, 2008, Defendant filed a Motion to Dismiss Plaintiffs'
10 Complaint for failure to state a valid cause of action.

11 4. On January 26, 2008, rather than respond to the Motion to Dismiss, Plaintiffs
12 filed the First Amended Complaint ("FAC").

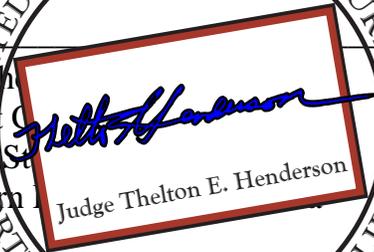
13 5. On February 12, 2009, Defendant filed a Motion to Dismiss the FAC for
14 failure to state a valid cause of action.

15 6. The Motion to Dismiss was decided on April 29, 2009. The Court granted
16 Defendant's Motion to Dismiss counts I, II, III, V and VI without leave to amend. The
17 Court also granted Defendant's Motion to Dismiss Count IV of the FAC with leave to
18 amend. The Court's order did not specify when Plaintiffs were required to file an amended
19 complaint, but Plaintiffs have failed to do so for over 30 days.

20 Accordingly, for the reasons set forth above, **IT IS ORDERED, ADJUDGED**
21 **AND DECREED** as follows:

22 That Defendant has judgment against Plaintiffs Terry and Caroline Brown on all
23 claims, that Plaintiffs take nothing by virtue of their FAC, and that this action is hereby
24 dismissed, with prejudice.

25 Dated: 06/16/09 _____

26 Hon. _____
27 District Court
28 United States
Northern District of California

Judge Thelton E. Henderson