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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARIA JIMENEZ,

No. C 09-0146 MEJ

Plaintiff(s),

vs.

**ORDER DENYING WITHOUT  
PREJUDICE PLAINTIFF'S MOTION TO  
AMEND COMPLAINT**

MECOMINGS FINANCIAL LLC,

Defendant(s).

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On May 15, 2009, Plaintiff filed a Motion to Amend her complaint. (Dkt. #30.) However, Plaintiff has now attempted to amend her complaint three times in fewer than ten weeks, and Defendant's second motion to dismiss is currently pending. (Dkt. #17.) While the Court must afford great latitude to pro se plaintiffs, it seems unfair to not allow Defendant's motion to be heard, given the likelihood that Defendant would file a third motion to dismiss in response to Plaintiff's latest amendment. Accordingly, the Court hereby DENIES WITHOUT PREJUDICE Plaintiff's motion to amend. However, the parties shall be prepared to address Plaintiff's amended complaint at the June 11 hearing on Defendant's motion to dismiss.

**IT IS SO ORDERED.**

Dated: May 20, 2009

  
\_\_\_\_\_  
MARIA ELENA JAMES  
United States Magistrate Judge

1  
2 UNITED STATES DISTRICT COURT  
3 FOR THE  
4 NORTHERN DISTRICT OF CALIFORNIA

5 MARIA C. JIMENEZ,

6 Plaintiff,

7 v.

8 HOMECOMINGS FINANCIAL et al,

9 Defendant.

Case Number: CV09-00146 MEJ

**CERTIFICATE OF SERVICE**

10 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District  
11 Court, Northern District of California.

12 That on May 20, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said  
13 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said  
14 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located  
15 in the Clerk's office.

16 Maria Jimenez  
17 5176 Grass Valley Way  
18 Antioch, CA 94531

19 Dated: May 20, 2009

20 Richard W. Wieking, Clerk  
21 By: Brenda Tolbert, Deputy Clerk  
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