

United States District Court  
For the Northern District of California

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

ANTHONY J. NUGENT,  
Plaintiff(s),

vs.

GREENPOINT MORTGAGE FUNDING, INC.,  
et al.,  
Defendant(s).

No. C 09-1180 MEJ

**ORDER VACATING HEARING RE:  
MOTIONS TO DISMISS**

**ORDER TO SHOW CAUSE**

On March 31, 2009, the Court ordered the parties to consent to the undersigned's jurisdiction or request reassignment to a district court judge. (Dkt. #7.) Plaintiff has failed to comply with this order. Further, although there are two motions to dismiss scheduled for hearings on May 28, 2009, Plaintiff has failed to file oppositions in compliance with Civil Local Rule 7. In fact, Plaintiff has made no appearance since filing his initial complaint. Accordingly, the Court hereby VACATES the May 28, 2009 hearing on Defendants' motions to dismiss and ORDERS Plaintiff Anthony J. Nugent to show cause why this case should not be dismissed for failure to prosecute and comply with court deadlines. Plaintiff shall file a declaration by May 28, 2009, and the Court shall conduct a hearing on June 11, 2009 at 10:00 a.m. in Courtroom B, 15th Floor, 450 Golden Gate Avenue, San Francisco, California.

**IT IS SO ORDERED.**

Dated: May 11, 2009



MARIA-ELENA JAMES  
United States Magistrate Judge

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

4 ANTHONY J. NUGENT,  
5 Plaintiff,

Case Number: CV09-01180 MEJ

**CERTIFICATE OF SERVICE**

6 v.

7 GREENPOINT MORTGAGE FUNDING, INC.  
8 et al,  
9 Defendant.

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 11, 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 Anthony J. Nugent  
17 6083 Round Hill Drive  
18 Dublin, CA 94568

19 Dated: May 11, 2009

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

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For the Northern District of California