

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

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

NELSON V. RODRIGUEZ, MAYRA  
RODRIGUEZ

No. C 09-01193 WHA

Plaintiffs,

v.

**NOTICE RE DEADLINE FOR  
RESPONSE TO DEFENDANT'S  
MOTION TO DISMISS**

WACHOVIA AND DOE DEFENDANTS  
1-10,

Defendants.

---

On May 18, 2009, defendant Wachovia Mortgage, FSB filed a motion to dismiss plaintiffs' complaint. The motion was noticed for a hearing on June 25, 2009. Plaintiffs' response was due on June 4, 2009, but a response has not been received. Ordinarily, the Court would grant the motion, but the Court will provide the *pro se* plaintiffs with more time. Plaintiffs' response is now due by **JUNE 19, 2009 AT NOON**. Defendant's reply is due by **JUNE 26, 2009 AT NOON**. Plaintiffs' continued failure to respond will likely result in dismissal of this action. There will be no hearing on the motion unless the Court finds it necessary after reviewing the briefing.

**IT IS SO ORDERED.**

Dated: June 10, 2009



WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE