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

ANA GONZALEZ,

Plaintiff,

No. 09-04571 JSW

v.

ORDER OF DISMISSAL

GMAC MORTGAGE, LLC, et al.,

Defendants.

On February 9, 2010, the Court took under submission and vacated the hearing date on three sets of motions to dismiss filed by Defendant Greenpoint Mortgage Funding, Inc. (“Greenpoint”), Defendants Jack Moore Realty Incorporated d/b/a All Valley Home Finance, Jack Lee Moore, Cecil Jack Rolls, and Jason Rafael (the “Jack Moore defendants”); and Defendants GMAC Mortgage, LLC, GMAC Equityline, Executive Trustee Services, LLC, ETS Services, LLC, and Mortgage Electronic Registration Systems, Inc. (the “GMAC Defendants”).

On March 1, 2010, although she previously filed opposition briefs to the motions to dismiss filed by Greenpoint and the Jack Moore defendants, Plaintiff filed document captioned “Statement of Non-Opposition to Defendants’ Motion to Dismiss Plaintiffs’ [sic] TILA (Count 1) & RESPA (Count 4) Causes of Action *Only*; Request for Dismissal *Without Prejudice*.” (See Docket No. 63.) Plaintiff advises the Court that she no longer opposes the motion to dismiss the TILA and RESPA claims and, because subject matter jurisdiction was premised upon federal question jurisdiction, asks the Court to dismiss the remaining claims without prejudice.

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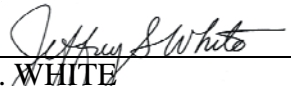
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The GMAC Defendants oppose Plaintiff's request and ask that the Court dismiss the federal claims with prejudice. (Docket No. 64.)

The Court has considered the Plaintiff's request and this action is DISMISSED without prejudice. The Clerk shall close the file.

IT IS SO ORDERED.

Dated: March 8, 2010



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE