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United States District Court
For the Northern District of California

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

MARIA BROOKS,

Plaintiff,

No. C 11-00006 JSW

v.

AMERICAN HOME MORTGAGE, ET AL.,

ORDER TO SHOW CAUSE

Defendants.

Plaintiff Maria Brooks filed a complaint in the Superior Court for the County of San Mateo on November 1, 2010, and filed an amended complaint on December 2, 2010. The First Amended Complaint alleges violations of the Truth in Lending Act, 15 U.S.C. § 1601 et seq., and state law claims for violations of California Business and Professions Code Section 17200, breach of implied covenant of good faith and fair dealing, conversion, breach of fiduciary duty, breach of loan contracts, violation of Civil Code Section 2923.5, wrongful foreclosure, negligence, predatory lending in violation of Financial Code Sections 4970-4979.8, and misrepresentation.

Defendants American Home Mortgage Servicing, Inc. and Mortgage Electronic Registration Systems, Inc. removed the action to this Court on January 3, 2011. Defendants have filed a motion to dismiss all claims in the First Amended Complaint and noticed the motion for hearing on April 1, 2011. Plaintiff’s opposition brief or statement of non-opposition was due by March 11, 2011. Plaintiff has not filed any opposition or response to the motion to dismiss.

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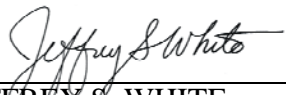
Plaintiff Maria Brooks is **HEREBY ORDERED TO SHOW CAUSE** in writing, **by April 8, 2011**, why the motion to dismiss pending against her should not be granted in light of Plaintiff's failure to file a timely opposition or statement of non-opposition. Plaintiff's failure to file a timely response to this show cause Order will result in a dismissal of this action for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

In light of the foregoing, the April 1, 2011 hearing on Defendants' motion to dismiss is **VACATED**. The hearing will be reset by the Court in a separate order if necessary.

IT IS FURTHER ORDERED that the case management conference set for April 15, 2011 is hereby continued to May 13, 2011 at 1:30 p.m.

IT IS SO ORDERED.

Dated: March 21, 2011



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE