

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

GERADO HERNANDEZ and JOSEFINA
HERNANDEZ,

No. C 11-02871 SI

Plaintiffs,

**ORDER DISMISSING CASE FOR
FAILURE TO PROSECUTE**

v.

WACHOVIA, et al.,

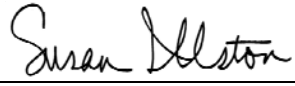
Defendants.

Currently before the Court are defendants' motions to dismiss and strike plaintiffs' Amended Complaint. Those matters are currently set for hearing on November 18, 2011. Plaintiffs' opposition to these motions was due on September 9, 2011. On October 24, 2011, the Court issued an Order to Show Cause requiring plaintiffs to file an opposition to the pending motions to dismiss or strike on or before November 3, 2011. The Court warned plaintiffs that their failure to comply would result in the Court dismissing this case for failure to prosecute under Fed. Rule of Civil Proc. 41(b).

As of this date, plaintiffs have not filed an opposition to the pending motions or otherwise responded to the Order to Show Cause. Therefore, the Court DISMISSES this case without prejudice for failure to prosecute. The Clerk shall close the file.

IT IS SO ORDERED.

Dated: November 7, 2011



SUSAN ILLSTON
United States District Judge