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## IN THE UNITED STATES DISTRICT COURT

## FOR THE NORTHERN DISTRICT OF CALIFORNIA

ALICIA G. ATIENZA and CLODUALDO A.  
ATIENZA,

Plaintiffs,

v.

COMMONWEALTH LAND AND TITLE, et  
al.,Defendants.  
\_\_\_\_\_ /

No. C 11-03154 JSW

**ORDER TO SHOW CAUSE**

This matter is set for a hearing on March 9, 2012 on the motion for a more definite statement filed by defendants JPMorgan Chase Bank, N.A., (erroneously sued herein as “J.P. Morgan Chase Bank”), California Reconveyance Company (erroneously served herein as “Reconveyance Company”), and Mortgage Electronic Registration Systems, Inc. (collectively, “Defendants”). Pursuant to Local Civil Rule of the Northern District 7-3, and adding three days pursuant to Federal Rule of Civil Procedure 6(d) because the motion was served by mail, an opposition or statement of non-opposition to this motion was due to be filed and served by October 6, 2011. To date, Plaintiffs have not filed an opposition or statement of non-opposition. Plaintiffs are **HEREBY ORDERED TO SHOW CAUSE (“OSC”)** in writing, by **December 6, 2011**, why the pending motion for a more definite statement should not be granted in light of their failure to file a timely opposition or statement of non-opposition. If Plaintiffs seek to file a substantive response to Defendants’ motion, Plaintiffs must demonstrate good cause for failing to file their opposition brief in a timely fashion. In his response to this OSC, Plaintiffs are also directed to show cause why this case should not be dismissed for failure to

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prosecute. Plaintiffs are admonished that their failure to respond this Order by **December 6, 2011**, will result in a dismissal of this action.

If Plaintiffs seek to file a substantive response to Defendants' motion and demonstrate good cause for their delay, the Court will provide Defendants an opportunity to file a reply brief. The Court FURTHER ORDERS that the case management conference is HEREBY VACATED and will be reset if necessary.

**IT IS SO ORDERED.**

Dated: November 15, 2011

  
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JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE

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UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

ALICIA G ATIENZA et al,  
Plaintiff,

Case Number: CV11-03154 JSW  
**CERTIFICATE OF SERVICE**

v.

COMMONWEALTH LAND AND TITLE  
et al,  
Defendant.

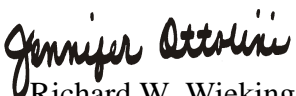
I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on November 15, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Alicia G. Atienza  
136 Saint Francis Boulevard  
San Francisco, CA 94127

Clodualdo A. Atienza  
136 Saint Francis Boulevard  
San Francisco, CA 94127

Dated: November 15, 2011

  
Richard W. Wieking, Clerk  
By: Jennifer Ottolini, Deputy Clerk