

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA
3

4
5 LEONARD J. GIANNINI,

6 Plaintiff,

7 v.

8 AMERICAN HOME MORTGAGE
9 SERVICING, INC. AND DOES 1-10,
inclusive,

10 Defendants.
11

NO. C11-04489 TEH

ORDER FOR CLARIFICATION

12 The Court is in receipt of the parties' joint stipulation to continue the mediation
13 completion deadline, which seeks to continue the deadline for the completion of alternative
14 dispute resolution until the next case management conference in this case on June 4, 2012.

15 The Court notes, however, that there is a motion to dismiss presently pending, which
16 was filed by defendant American Home Mortgage Servicing, Inc. on March 29, 2012, and to
17 which a response was due April 12, 2012. There having been no response to the motion, and,
18 indeed, no further filing by either party which so much as makes reference to the fact of the
19 pending motion, the Court hereby ORDERS the parties to file, within seven days of the
20 issuance of this order, a joint statement clarifying the present posture of this case and
21 explaining the requested extension in light of the presently-pending motion to dismiss. If no
22 document has been received by **Wednesday, May 3, 2012**, the Court will consider dismissal
23 of this case for failure to prosecute.

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25 **IT IS SO ORDERED.**

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27 Dated: 4/25/12



28 THELTON E. HENDERSON, JUDGE
UNITED STATES DISTRICT COURT