

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

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4  
5 FRANCISCO RODRIGUEZ,

6 Plaintiff,

7 v.

8 BANK OF AMERICA CORP., et al.,

9 Defendants.

NO. C11-5134 TEH

ORDER TO SHOW CAUSE  
WHY CASE SHOULD NOT BE  
DISMISSED

10  
11 On November 25, 2011, the Plaintiff, Francisco Rodriguez (“Plaintiff”) filed an  
12 amended complaint. On December 9, 2011, Defendants Bank of America Corp and  
13 Mortgage Electronic Registration Systems, Inc. (“Defendants”) filed a motion to dismiss the  
14 first amended complaint. A motion hearing was set for January 30, 2012, with a response  
15 from the plaintiff due on December 23, 2011 and an anticipated reply deadline for the  
16 Defendants of December 30, 2011. To date, the Plaintiff has filed no response, nor any  
17 further amended complaint, nor any further filing of any kind. In light of this fact,  
18 Defendants noticed the Court on January 6, 2012, of Plaintiff’s non-opposition to their  
19 motion to dismiss.

20 The Court hereby orders that the Plaintiff show cause why the Court should not deem  
21 the Plaintiff to have consented to the motion to dismiss, and grant the motion as requested in  
22 the Defendant’s notice of non-opposition. The hearing presently set on January 30, 2012,  
23 shall remain as set in Courtroom 2, 17th Floor of the U.S. District Court in San Francisco.  
24 Defendants’ counsel is granted leave to appear by telephone.

25 **IT IS SO ORDERED.**

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27 Dated: 1/10/12



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THELTON E. HENDERSON, JUDGE  
UNITED STATES DISTRICT COURT