

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

EMILIO J. VILLANUEVA, et al.,

No. C 11-06712 JSW

Plaintiffs,

**ORDER OF DISMISSAL WITH
PREJUDICE**

v.

COUNTRYWIDE HOME LOANS, et al.,

Defendants.

_____ /

On May 4, 2012, the Court issued an Order granting Defendants’ motion to dismiss and granting Plaintiffs one *final* opportunity to amend their complaint. Plaintiffs’ amended complaint was due by June 1, 2012. On June 1, 2012, the Plaintiffs filed a document which the Court shall liberally construe as their amended complaint. That document fails to rectify the deficiencies identified by the Court in the Order dated May 4, 2012.

Like the original complaint and Plaintiffs’ opposition to the Defendants’ motion to dismiss, the amended complaint is largely incomprehensible, and it is impossible to discern any of the essential details of the events that triggered the lawsuit. As such the Court still cannot discern the nature of the federal question involved, if any, or whether Plaintiffs can demonstrate that there is complete diversity, meaning that the parties are citizens of different states, and that the amount at issue exceeds \$75,000.

As the Court stated in its Order dated May 4, 2012, the failure to file a cognizable legal claim by June 1, 2012 would result in dismissal of this action with prejudice without further notice to Plaintiffs.

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Accordingly, the Court HEREBY DISMISSES this action WITH PREJUDICE. The Court shall issue a separate judgment, and the Clerk shall close the file.

IT IS SO ORDERED.

Dated: June 4, 2012



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA
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5 VILLANUEVA et al,
6 Plaintiff,

Case Number: CV11-06712 JSW

CERTIFICATE OF SERVICE

7 v.

8 COUNTRYWIDE HOME LOANS et al,
9 Defendant.
10 _____/

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

13 That on June 4, 2012, I SERVED a true and correct copy(ies) of the attached, by placing
14 said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by
15 depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office
16 delivery receptacle located in the Clerk's office.

16 David Wynn Miller
17 5166 North 63
18 Milwaukee, WI 53218

18 Emilio J. Villanueva
19 Jean H. Villanueva
20 Vera C. H. Villanueva
21 3282 Red Leaf Court
22 Hayward, CA 94542

21 Dated: June 4, 2012



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