

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 RE POST-JUDGMENT
FILING**

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 liberally construed as their amended complaint and which failed to rectify the deficiencies identified by the Court in the Order dated May 4, 2012. Plaintiffs amended complaint was largely incomprehensible, and it was impossible to discern any of the essential details of the events that triggered the lawsuit. Thus, the Court could not discern the nature of the federal question involved, if any, or whether Plaintiffs could demonstrate that there is complete diversity, meaning that the parties are citizens of different states, and that the amount at issue exceeds \$75,000. Accordingly, on June 4, 2012, the Court dismissed the case with prejudice and entered judgment.

On or about November 27, 2012, Plaintiffs filed another document that is as incomprehensible as the putative amended complaint. To the extent Plaintiffs are asking the Court to vacate the judgment entered on June 4, 2012, that request is DENIED on the basis that

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Plaintiffs have not presented a legally or factually cognizable argument in support of such a motion.

IT IS SO ORDERED.

Dated: December 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 December 4, 2012, I SERVED a true and correct copy(ies) of the attached, by
14 placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter
15 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.

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

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

21 Dated: December 4, 2012



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