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United States District Court
For the Northern District of California

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

TERRA S. YOUNG,

Plaintiff,

No. C 12-00257 JSW

v.

NORTH AMERICAN VAN LINES,

Defendant.

ORDER OF DISMISSAL

On July 25, 2012, this Court issued an order to show cause why this case should not be dismissed upon failure to amend the complaint to address the concerns raised in the Defendants' pending motion to dismiss the first amended complaint. Instead of filing an opposition to the motion to dismiss by the twice-extended deadline, Plaintiff had moved to transfer her own matter to another jurisdiction, had moved for discovery, had appealed the Court's denial to enter default judgment on appearing defendants, and finally, had moved to amend her complaint for the third time.

Although the response to the order to show cause was due by no later than August 10, 2012, on August 13, 2012, this Court received Plaintiff's response. In it, Plaintiff again indicated her desire to transfer this case to the District of New Mexico and to be granted leave to amend the complaint for a third time. The Court finds the content of the claims in the proposed second amended complaint suffer from the same defects in pleading alleged in the pending motion to dismiss. Vague claims about other potential activity warranting liability for other

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potential claimants does not alter the fact that Plaintiff's claims are barred by the statute of limitations.

After many submissions, extensions of time, and multiple attempts to amend the complaint, the Court finds dismissal of this action is warranted as Plaintiff's claims are barred by the applicable statute of limitations. Accordingly, this case is hereby DISMISSED. A separate judgment shall follow and the Clerk is directed to close the file.

IT IS SO ORDERED.

Dated: January 23, 2013



JEFFREYS. WHITE
UNITED STATES DISTRICT JUDGE

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

TERRA S. YOUNG,
Plaintiff,

Case Number: CV12-00257 JSW

CERTIFICATE OF SERVICE

v.


NORTH AMERICAN VAN LINES 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 January 23, 2013, 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.

Terra S. Young
5 Santo Domingo Trail, North
Corrales, NM 87048

Dated: January 23, 2013


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