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

PETRA S. PEREZ,

No. C 12-00932 WHA

Plaintiff,

v.

**ORDER RE NOTICE
FILED BY DEFENDANTS**

AMERICAN HOME MORTGAGE SERVICING, INC.,
MORTGAGE ELECTRONIC REGISTRATION
SYSTEM, INC., T.D. SERVICE COMPANY,

Defendants.

Defendants American Home Mortgage Servicing, Inc., and Mortgage Electronic Registration System, Inc., filed a notice of plaintiff's failure to file a motion for leave to file an amended complaint or an amended complaint. Defendants point to the order of dismissal dated April 23, 2012, which stated, "[p]laintiff may seek leave to amend the complaint and will have fourteen calendar days from the date of this order to file a motion . . . for leave to file an amended complaint. A proposed amended complaint must be appended to the motion" (Dkt. No. 21 at 9). Defendants seek dismissal with prejudice as no motion for leave to file an amended complaint has been filed. However, a subsequent case management order filed on April 26, provided that "[l]eave to add new parties or pleading amendments must be sought by June 29, 2012" (Dkt. No. 27). The deadline to amend has not passed. There is no reason to dismiss the action with prejudice at this time.

IT IS SO ORDERED.

Dated: May 28, 2012.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE