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

JOSE ROSALES, et al.,
Plaintiffs,

No. C 12-03776 JSW

v.

BANK OF AMERICA, N.A., et al.,
Defendants.

ORDER VACATING HEARING

This matter is set for a hearing on September 27, 2013 on Defendants' motion to dismiss. Pursuant to Local Civil Rule of the Northern District 7-3, an opposition or statement of non-opposition to this motion was due to be filed and served by June 19, 2013. To date, Plaintiffs have not filed an opposition or statement of non-opposition.

Plaintiffs are HEREBY ORDERED TO SHOW CAUSE ("OSC") in writing, by **September 23, 2013**, why the pending motion to dismiss should not be granted in light of their failure to file a timely opposition or statement of non-opposition. If Plaintiffs seek to file a substantive response to Defendants' motion, Plaintiffs must demonstrate good cause for failing to their opposition brief in a timely fashion. In their response to this OSC, Plaintiffs are also directed to show cause why this case should not be dismissed for failure to prosecute. Plaintiffs are admonished that their failure to respond this Order by **September 23, 2013**, will result in a dismissal of this action without further notice.


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United States District Court
For the Northern District of California

1 If Plaintiffs file a substantive response to Defendants' motion and demonstrates good
2 cause for their delay, the Court will provide Defendants an opportunity to file a reply brief by no
3 later than October 4, 2013. The Court HEREBY CONTINUES the hearing on Defendants'
4 motion to dismiss to December 13, 2013 at 9:00 a.m.

5 **IT IS SO ORDERED.**

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7 Dated: 9/9/13



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE
by HONORABLE SUSAN ILLSTON

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

JOSE ROSALES et al,
Plaintiff,

Case Number: CV12-03776 JSW
CERTIFICATE OF SERVICE

v.

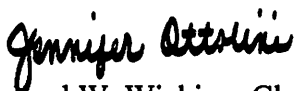
BANK OF AMERICA N.A. et al,
Defendant.

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 September 9, 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.

Jose Rosales
Maria Dolores Rosales
34 Elkwood Drive
South San Francisco, CA 94080

Dated: September 9, 2013


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