

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
SAN FRANCISCO DIVISION

GREGORY S. MCBRIDE and CONCETTA
MCBRIDE,

No. C 12-04054 RS

ORDER REGARDING SERVICE

Plaintiffs,

v.

AURORA SERVICING COMPANY et al.,

Defendants.

Plaintiffs have twice moved for entry of default, and the Clerk’s Office has twice denied their request. As plaintiffs showed no attempt to correct any problem in service, they were directed to show cause why defendants Mortgage Electronic Registration System, Inc., Luminent Mortgage Loan Trust and HSBC Bank, N.A had not yet appeared in this case. Mortgage Electronic Registration System, Inc. has since made an appearance. Plaintiffs’ counsel failed to appear at the hearing scheduled for May 30, 2013 on this matter. This failure alone could provide a basis for dismissal, but as counsel timely filed a declaration, dismissal shall not be ordered.

Counsel’s declaration explained the circumstances of plaintiffs’ attempts at service, but provided no legal basis on which to conclude that service was adequate. Within the next thirty (30) days, plaintiffs must either endeavor to correct the problems in service identified by the Clerk’s

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Office or file a properly noticed motion that demonstrates service has been accomplished. Failure to abide by this Order may result in the dismissal of Luminent Mortgage Loan Trust and HSBC Bank, N.A. without further notice.

IT IS SO ORDERED.

Dated: 5/30/13



RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE