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

BRIAN TALL and JOANNE OLIVAS,

No. C 12-05348 WHA

Plaintiffs,

v.

**ORDER DISMISSING ACTION  
FOR FAILURE TO PROSECUTE**

MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC. ("MERS");  
DEUTSCHE BANK NATIONAL TRUST  
COMPANY; AMERICAN HOME  
MORTGAGE ASSETS TRUST 2006-5; and  
AMERICAN HOME MORTGAGE  
CORPORATION,

Defendants.

By order dated December 21, 2012, plaintiffs' complaint was dismissed. Plaintiffs were given until January 11, 2013, to file a motion for leave to file a proposed amended complaint. At the case management hearing on January 10, at which no one appeared for plaintiffs, no further dates in this action were set as plaintiffs had not yet filed their motion. The January 11 deadline has passed, and no motion was filed.

The action is hereby **DISMISSED FOR FAILURE TO PROSECUTE**. Judgment will be entered by separate order.

**IT IS SO ORDERED.**

Dated: January 14, 2013.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE