

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JAY HOON SHIN, et al.,  
Plaintiffs,  
v.  
WASHINGTON MUTUAL BANK, FA,  
Defendant.

Case No. [16-cv-04575-JD](#)

**ORDER OF DISMISSAL**

Plaintiffs were directed to serve defendant and file a proof of service by January 30, 2017, and advised the case would be dismissed if they did not do so. Dkt. No. 14. More than six months have passed and plaintiffs have not filed a proof of service or manifested any other indication of an intent to pursue this case.

After consideration of the factors in *Malone v. United States Postal Service*, 833 F.2d 128 (9th Cir. 1987), and in view of plaintiffs' complete lack of response to the Court's prior order, this action is dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute.

**IT IS SO ORDERED.**

Dated: August 7, 2017

  
\_\_\_\_\_  
JAMES DONATO  
United States District Judge