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

NAZREEN RAZZAK, et al.,
Plaintiffs,
v.
WELLS FARGO BANK, N.A.,
Defendant.

Case No. [17-cv-04939-MMC](#)

**ORDER GRANTING MOTION TO
DISMISS; AFFORDING LEAVE TO
AMEND**

RE: DKT. NO. 19

Before the Court is defendant Wells Fargo Bank, N.A.'s "Motion to Dismiss First Amended Complaint," filed October 12, 2017, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. Plaintiffs have filed opposition, to which defendant replied. The matter came on regularly for hearing on December 8, 2017. Dean A. Reeves of Anglin, Flewelling, Rasmussen, Campbell & Tryttrn LLP appeared on behalf of defendant. Allen T. Koster, III appeared on behalf of plaintiffs.

Having considered the parties' respective written submissions and the arguments of counsel at the hearing, the Court, for the reasons stated on the record at the hearing, hereby GRANTS the motion, and DISMISSES the First Amended Complaint with leave to amend.

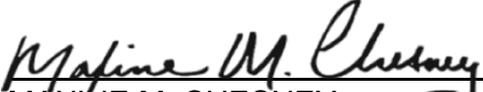
No later than January 26, 2018, plaintiffs shall file any Second Amended Complaint, as well as any declarations addressing the issue of judicial estoppel.

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Defendant shall file any responsive declarations no later than the date on which defendant files its response to plaintiffs' Second Amended Complaint.

IT IS SO ORDERED.

Dated: December 8, 2017


MAXINE M. CHESNEY
United States District Judge