

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

VERONICA NEWBECK and JOHN J.
FORD, III,

 Plaintiffs,

 v.

WASHINGTON MUTUAL BANK and PLAZA HOME
MORTGAGE, INC.,

 Defendants.

No. C 09-01599 CW

ORDER TAKING MOTIONS
UNDER SUBMISSION

On August 26, 2009, Defendant Plaza Home Mortgage, Inc. filed a motion to dismiss and noticed the motion for hearing on October 1, 2009 (Docket No. 13). On August 27, 2009, Defendant JP Morgan Chase Bank, N.A., filed a motion to dismiss and noticed the motion for hearing on October 1, 2009 (Docket No. 20). Plaintiffs' oppositions to the motions were due by September 10, 2009. Plaintiffs have not filed oppositions to the motions.

Accordingly, notice is hereby given that the Court, on its own motion, shall take Defendants' motions under submission on the papers. The hearing previously scheduled for October 1, 2009 is vacated. Plaintiffs' oppositions to the motions will be due

1 October 1, 2009, and any reply by Defendants will be due October 8,
2 2009. **Failure by Plaintiffs to file written oppositions to the**
3 **motions by October 1, 2009 will result in dismissal of this case**
4 **for failure to prosecute.**

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6 IT IS SO ORDERED.

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8 Dated: September 23, 2009



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CLAUDIA WILKEN
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VERONICA NEWBECK et al,
Plaintiff,

Case Number: CV09-01599 CW

CERTIFICATE OF SERVICE

v.

WASHINGTON MUTUAL BANK 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 23, 2009, 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.

John J. Ford
230 Cordova Street
San Francisco, CA 94112

Dated: September 23, 2009

Richard W. Wieking, Clerk
By: Clara Pierce, Deputy Clerk