

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

RONALD C. PADILLA & EVA K. PADILLA,
Plaintiffs,
v.
ONE WEST BANK,
Defendant.

No. 10-04080 CW
ORDER DISMISSING
RESPA CLAIM AND
CLOSING CASE

_____ /

On December 20, 2010, the Court issued entered an Order Granting Defendant's Motion to Dismiss, in which it dismissed all of Plaintiffs' claims without leave to amend, with the exception of the Real Estate Settlement Procedures Act (RESPA) claim, which was dismissed with leave to amend. The Court granted Plaintiffs fourteen days in which to file an amended complaint to remedy the deficiencies noted in the RESPA claim. The Court stated that, if Plaintiffs did not file an amended complaint within fourteen days, the RESPA claim would be dismissed for failure to prosecute.

Fourteen days have passed, and Plaintiffs have not filed an amended complaint. Therefore, the RESPA claim is dismissed for failure to prosecute. The Clerk of the Court shall close this case.

IT IS SO ORDERED.

Dated: 1/6/2011


CLAUDIA WILKEN
United States District Judge

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4 RONALD C. PADILLA et al,

5 Plaintiff,

6 v.

7 ONE WEST BANK et al,

8 Defendant.

Case Number: CV10-04080 CW

CERTIFICATE OF SERVICE

9 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court,
10 Northern District of California.

11 That on January 7, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said
12 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
13 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located
14 in the Clerk's office.

15 Eva K. Padilla
16 2555 Spyglass Hills Rd.
17 Livermore, CA 94551

18 Ronald C. Padilla
19 2555 Spyglass Hills Rd.
20 Livermore, CA 94551

21 Dated: January 7, 2011

22 Richard W. Wieking, Clerk
23 By: Nikki Riley, Deputy Clerk
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