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United States District Court
Northern District of California

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

TERRY KENNEDY,

Plaintiff,

vs.

BANK OF AMERICA, N.A. ET AL.,

Defendants.

Case No.: 12-CV-952 YGR

**ORDER ENTERING TENTATIVE RULING
GRANTING MOTION OF DEFENDANTS BANK
OF AMERICA, N.A. AND RECONTRUST TO
DISMISS AS THE ORDER OF THE COURT**


Pursuant to the parties' stipulation (Dkt. No. 41), the Court's Tentative Ruling Granting Motion of Defendants Bank of America, N.A. and Recontrust to Dismiss certain claims in the Second Amended Complaint (Dkt. No. 40) shall be the Order of the Court. Accordingly, for the reasons set forth therein, the Motion to Dismiss is **GRANTED** as to the First, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth and Eleventh Claims for Relief, without leave to amend. Defendant shall file and serve its answer to the Second and Third claims no later than July 23, 2012.

The hearing set for July 10, 2012 at 2:00 p.m. is **VACATED**.

This order terminates Docket No. 36.

IT IS SO ORDERED.

Date: July 9, 2012


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE