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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 DENYING STIPULATION TO EXTEND
TIME TO ANSWER PLAINTIFF'S SECOND
AMENDED COMPLAINT**

United States District Court
Northern District of California


Defendants Bank of America, N.A. and Recontrust Company, N.A. ("Defendants") submitted a stipulation, entered into by Plaintiff's counsel, September Katje, to extend Defendants' time to answer Plaintiff's Second Amended Complaint. (Dkt. No. 58.) The request by stipulation is **DENIED**.

This Court granted Defendants' Motion to Dismiss certain claims in the Second Amended Complaint by Order dated July 9, 2012. (Dkt. No. 42.) That Order required Defendants to file their answer to the remaining claims no later than July 23, 2012. The Court subsequently granted an extension of Defendants' time to answer to October 19, 2012, based upon the representation that the case had settled and the parties anticipated filing a dismissal prior to the new deadline. (See Dkt. No. 43 [Stipulation]; Dkt No. 44 [Joint Notice of Settlement]; Dkt. No. 45 [Order Granting Stipulation].) Counsel for Plaintiff subsequently filed a Motion to Withdraw as Attorney and case is apparently proceeding, not being dismissed.

In light of the foregoing, the Court will not grant a further extension of time.

IT IS SO ORDERED.

Dated: October 1, 2012


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE