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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SUSAN AGUIAR *et al.*,
Plaintiff(s),

v.

WELLS FARGO BANK, N.A. *et al.*,
Defendant(s).

Case No.: 12-CV-03653 YGR

**ORDER REGARDING PLAINTIFF'S FAILURE TO
FILE AN OPPOSITION TO DEFENDANT'S
MOTION TO DISMISS**

11 On July 25, 2012, Defendant Wells Fargo Bank, N.A. filed a Motion to Dismiss (Dkt. No. 7),
12 which Defendant Regional Service Corporation joined (Dkt. No. 16). The hearing on the motion is
13 set for October 9, 2012. Plaintiffs' opposition was due on August 17, 2012. (*See* Dkt. No. 11.)

14 To date, Plaintiffs have failed to oppose the Motion. Plaintiffs shall file an opposition to the
15 Motion to Dismiss no later than Friday, September 28, 2012. Failure to file an opposition by that date
16 will result in dismissal of the action against Defendants for failure to prosecute. Any reply to an
17 opposition must be served and filed not more than 7 days after the opposition is served and filed. Civ.
18 L.R. 7-3(c).

19 The hearing date of October 9, 2012 is hereby **VACATED**. The Court re-sets the hearing for
20 October 30, 2012 at 2:00 p.m.

21 The parties' Stipulation to Continue the Date for Plaintiffs to File an Opposition (Dkt. No. 11)
22 is **GRANTED**. Defendant's Motion to Appear by Telephone at the October 9, 2012 Hearing (Dkt. No.
23 18) is **DENIED AS MOOT**.

24 This Order Terminates Dkt. Nos. 11 & 18.

25 **IT IS SO ORDERED.**

26 Dated: September 20, 2012

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YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE