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United States District Court  
Northern District of California

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

**RALPH HAYES, KENNETH HAYES, AND RUTH HAYES,**  
**Plaintiff(s),**  
**v.**  
**WELLS FARGO BANK, N.A. A//K/A WELLS FARGO HOME MORTGAGE, F/K/A WACHOVIA MORTGAGE, FSB, F/K/A/ WORLD SAVINGS BANK, FSB, AND DOES 1-10,**  
**Defendants.**

**Case No.: 13-CV-420 YGR**  
**ORDER REGARDING PLAINTIFF'S FAILURE TO FILE AN OPPOSITION TO DEFENDANT'S MOTION TO DISMISS**

On February 3, 2013, Defendant Wells Fargo Bank N.A. ("Wells Fargo") filed a Motion to Dismiss. (Dkt. No. 5.) Thereafter this action was reassigned to the undersigned and, on March 15, 2013, Wells Fargo filed an Amended Motion to Dismiss for hearing on April 30, 2013. Plaintiff's opposition was due on March 29, 2013. Civ. L.R. 7-3(a).

To date, Plaintiffs have failed to oppose the Motion. Plaintiffs shall file an opposition to the Motion to Dismiss no later than **April 23, 2013**. Failure to file an opposition by that date will result in dismissal of the action against Wells Fargo for failure to prosecute. Any reply to an opposition must be served and filed not more than 7 days after the opposition is served and filed. Civ. L.R. 7-3(c).

The hearing date of April 30, 2013, is hereby **CONTINUED** to **May 14, 2013**, at 2:00 p.m.  
**IT IS SO ORDERED.**

Dated: April 9, 2013

  
**YVONNE GONZALEZ ROGERS**  
**UNITED STATES DISTRICT COURT JUDGE**