

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12

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

**KURT BERGMAN AND NANCY BERGMAN,**

**Plaintiffs,**

**v.**

**BANK OF AMERICA, N.A., TRUSTEE CORPS,  
FEDERAL HOME LOAN MORTGAGE  
CORPORATION, PK PROPERTIES, LLC, AND  
DOES 1-100,**

**Defendants.**

**Case No.: 13-CV-741 YGR**

**ORDER REGARDING PLAINTIFFS' FAILURE TO  
FILE OPPOSITION TO MOTION OF  
DEFENDANTS BANK OF AMERICA, N.A. AND  
FEDERAL HOME LOAN MORTGAGE  
CORPORATION TO DISMISS AND RESETTING  
HEARING**

13 On March 28, 2013, Defendants Bank of America, N.A. and Federal Home Loan Mortgage  
14 Corporation filed a Motion to Dismiss. (Dkt. No. 6.) Plaintiff's opposition was due on April 11,  
15 2013. Civ. L.R. 7-3(a). To date, Plaintiffs have failed to oppose the Motion. Hearing on the motion  
16 is currently set for May 14, 2013.

17 On April 15, 2013, Defendant Trustee Corp. filed its Motion to Dismiss (Dkt. No. 8), and re-  
18 noticed the motion for hearing on May 28, 2013.

19 Plaintiffs shall file opposition to both Motions to Dismiss no later than **May 8, 2013**. Failure  
20 to file opposition by that date will result in dismissal of the action against Defendants Bank of  
21 America, N.A. and Federal Home Loan Mortgage Corporation and Trustee Corp. for failure to  
22 prosecute. Any reply to an opposition must be served and filed not more than 7 days after the  
23 opposition is served and filed. Civ. L.R. 7-3(c).

24 The hearing date for both motions shall be **May 28, 2013**, at 2:00 p.m.

25 **IT IS SO ORDERED.**

26  
27 Dated: April 16, 2013

28  
  
YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT COURT JUDGE