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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SEAN L GILBERT, et al.,

No. C 13-01171 JSW

Plaintiffs,

**ORDER DISCHARGING ORDER
TO SHOW CAUSE**

v.

BANK OF AMERICA, et al.,

Defendants.

The Court has read and considered the parties' responses to this Court's Order to Show Cause why the claims asserted by Plaintiff Keeya Malone ("Malone") against Defendant David Johnson should not be dismissed.

Johnson did not move to compel Ms. Malone to arbitrate her claims, and Ms. Malone has not sought to arbitrate those claims. Therefore, the Court retains jurisdiction over her claims. After considering the parties' responses to the Court's Order to Show Cause, the Court will not dismiss the claims at this time. Johnson is free to renew his arguments by way of a motion for judgment on the pleadings or a motion for summary judgment.

IT IS SO ORDERED.

Dated: May 20, 2015



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE