

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA

3 **ARKETHA MUNIR,**
4 Plaintiff,

5 v.

6 **BANK OF AMERICA , N.A., ET AL.,**
7 Defendants.
8

Case No. 14-cv-05073-YGR

**ORDER CONTINUING HEARING; REQUIRING
SUPPLEMENTAL BRIEFING**

9 The Court is in receipt of the parties' requests for telephonic appearance. (Dkt. Nos. 27
10 and 28.) The May 5, 2015 hearing on the pending motions to dismiss (Dkt. Nos. 17 and 23) is
11 hereby **CONTINUED** to **May 12, 2015 at 2 p.m.** Thus, the requests for telephonic appearance are
12 **DENIED** as moot. However, to the extent oral argument is necessary, telephonic appearances will
13 not be permitted. Counsel shall plan accordingly.

14 In the reply brief filed by defendants Nationstar Mortgage LLC ("Nationstar"), Mortgage
15 Electronic Registration Systems, Inc. ("MERS"), et al., those defendants claim the plaintiff
16 concedes (by failing to oppose in its response) that the First Amended Complaint contains no
17 claims against Nationstar or MERS upon which relief may be granted, and that therefore those
18 defendants should be dismissed from this action with prejudice. (Dkt. No. 26 at 4.) By Tuesday,
19 **May 5, 2015 at noon**, the plaintiff shall file a response to this contention, either conceding the
20 point or addressing it in no more than two (2) pages.

21 Also by **May 5, 2015 at noon**, the defendants identified in the plaintiff's notice of
22 voluntary dismissal (Dkt. No. 29) shall file a statement indicating whether they oppose their
23 dismissal from this case without prejudice. If they fail to file a statement by the deadline,
24 voluntary dismissal without prejudice will be granted and their pending motion denied as moot.

25 This Order terminates Docket Numbers 27 and 28.

26 **IT IS SO ORDERED.**

27 Dated: April 30, 2015

28 
YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE