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

JOSE A. BONETE,

Plaintiff,

No. C 15-01219 JSW

v.

WORLD SAVINGS BANK, FSB, et al.,

ORDER OF DISMISSAL

Defendants.

_____ /

On August 11, 2015, this Court granted Defendant Wells Fargo’s motion to dismiss and granted Plaintiff leave to amend only as to his claims for violation of Section 17200 and fraud and intentional deceit under California Civil Code section 1709. The Court indicated that Plaintiff was permitted to file an amended complaint by no later than September 4, 2015. The Court further admonished that failure to file an amended complaint by September 4, 2015 would result in dismissal of this action. Plaintiff did not file an amended complaint.

Thereafter, on October 6, 2015, Defendant moved pursuant to Federal Rule of Civil Procedure 41(b) to dismiss the matter with prejudice for failure to timely amend following a 12(b)(6) motion. *See Yourish v. California Amplifier*, 191 F.3d 983, 986 (9th Cir. 1999). Having not received a timely opposition to the motion to dismiss, on November 2, 2015, Defendant filed a notice of non-receipt of opposition. Accordingly, Plaintiff has had multiple notices of his failure to amend the complaint.

As indicated in its original order granting Defendant’s motion to dismiss with leave to amend, having received no amended complaint, the Court **HEREBY DISMISSES** this action

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with prejudice.

IT IS SO ORDERED.

Dated: November 10, 2015



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE