

United States District Court
For the Northern District of California

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E-FILED on 9/9/08

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

STEVE TRACHSEL et al.,
Plaintiffs,
v.
RONALD BUCHHOLZ et al.,
Defendants.

No. C-08-02248 RMW
ORDER GRANTING DEFENDANTS'
MOTIONS TO DISMISS
[Re Docket Nos. 16, 17, 63]

On May 28, 2008, defendants Jonathon Vento, Grace Capital, LLC, Grace Capital dba Grace Communities, Donald Zeleznak, Z-Loft LLC, and Zeleznak Property Management, LLC dba Keller Williams Realty ("the Grace defendants") filed a motion to dismiss for lack of personal jurisdiction, improper venue and for failure to state claims against them under Fed. R. Civ. P. 12(b)(6). Defendant Keller Williams Realty Inc. ("KWRI") subsequently moved separately to dismiss for failure to state a claim. Both motions were heard on September 5, 2008.

As stated at the hearing, the court grants defendants' motion to dismiss. Plaintiffs shall have thirty (30) days to amend their complaint. The court denies KWRI's motion to strike evidence submitted in support of plaintiffs' opposition as moot.

DATED: 9/8/08

Ronald M Whyte
RONALD M. WHYTE
United States District Judge

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13 **Dated:** 9/9/08

/s/ MAG
Chambers of Judge Whyte

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