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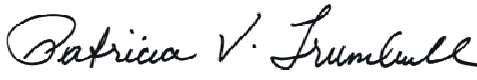
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

DESIETA DIVINO, et al.,)	Case No.: C 09-193 PVT
)	
Plaintiffs,)	ORDER OF DISMISSAL
)	
v.)	
)	
LEHMAN BROTHERS BANK, FSB, et al.,)	
)	
Defendants.)	
_____)	

On April 13, 2009, defendants’ motion to dismiss was granted with leave to amend. (“April 13, 2009 Order”). Plaintiffs failed to amend the complaint by the April 24, 2009 deadline set forth in the April 13, 2009 Order. On April 28, 2009, the court issued an order to show cause why the case should not be dismissed for failure to prosecute. The order to show cause set forth a response date of May 8, 2009. Plaintiffs did not respond whatsoever. Accordingly,

IT IS HEREBY ORDERED that the above-captioned action is dismissed pursuant to Rule 41(b).¹ Fed. R. Civ. P. 41(b).

Dated: May 18, 2009



 PATRICIA V. TRUMBULL
 United States Magistrate Judge

¹ The holding of this court is limited to the facts and particular circumstances underlying the present motion.