

United States District Court
For the Northern District of California

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E-filed on: 4/14/09

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

CATHERINE G. MARTIN,

Plaintiff,

v.

MURRAY ZOOTA, President and CEO of
Fremont Investment & Loan; et al.

Defendants.

No. C-09-00315 RMW

ORDER GRANTING LEAVE TO AMEND

[Re Docket No. 9]

On March 27, 2009, this matter came on for hearing on the court's Order to Show Cause why plaintiff's complaint should not be dismissed as to all defendants for (a) failure to state a claim and (b) failure to timely serve the defendants. Having considered plaintiff's written response, the arguments made at hearing, plaintiff's request for leave to file an amended complaint is granted. The amended complaint, however, shall not include any of the five government employees named as defendants in the original complaint: Gail L. Pellerin, Clerk for Santa Cruz County; Gary Hazelton, Recorder for Santa Cruz County; Steven De. Robbins, Sheriff/Coroner for Santa Cruz County; Henry M. Paulson, Jr., (former) Secretary of the Treasury; and Michael B. Mukasey, (former) United States Attorney General. Plaintiff was unable to articulate any facts or legal theory as to why any of these government employee defendants could be liable to her. Plaintiff shall have until April 27, 2009 in which to file an amended complaint.

DATED: 4/6/09



RONALD M. WHYTE
United States District Judge

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No. C-09-00315 RMW
TER

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9 Counsel are responsible for distributing copies of this document to co-counsel that have not
10 registered for e-filing under the court's CM/ECF program.

11 **Dated:** 4/14/09 TER
12 **Chambers of Judge Whyte**

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