

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

MADHVAMUNI K. DAS, GEETHA M. DAS,)

Plaintiffs,)

v.)

WMC MORTGAGE CORP.; AMERICAN)
 MORTGAGE NETWORK; THE CIT GROUP;)
 FIRST AMERICAN TITLE INSURANCE)
 COMPANY; MERS; OLD REPUBLIC)
 DEFAULT MANAGEMENT SERVICES;)
 BONAFIDE FINANCIAL; WESTWOOD)
 ASSOCIATES; CENTRAL MORTGAGE)
 COMPANY; AMERICA'S SERVICING)
 COMPANY; GMAC MORTGAGE CORP.;)
 DOES 1-100.)

Defendants.)

Case No.: 10-CV-00650-LHK

ORDER DISMISSING CLAIMS
 AGAINST GMAC AND CIT; ORDER
 DIRECTING PLAINTIFFS TO FILE A
 VOLUNTARY DISMISSAL AS TO
 AMERICA'S SERVICING COMPANY

On November 28, 2011, the Court ordered Plaintiffs to serve Defendant GMAC Mortgage Corporation ("GMAC") by December 28, 2011, or face dismissal of their claims against GMAC for failure to prosecute pursuant to Fed. R. Civ. P. 4(m). ECF No. 134. Additionally, at the Case Management Conference held on December 7, 2011, the Court ordered Plaintiffs to serve Defendant The CIT Group by December 28, 2011, or similarly face dismissal of their claims. ECF No. 142. As of January 10, 2012, Plaintiffs have failed to file proof of service for either of these defendants as ordered by the Court. Accordingly, Plaintiffs' claims against these defendants are DISMISSED. The Clerk shall terminate Defendants GMAC Corp. and The CIT Group.

At the December 7, 2011 Case Management Conference, the Court also ordered Plaintiffs to file a stipulation dismissing Defendant America's Servicing Company. Plaintiffs failed to do so. If Plaintiffs fail to dismiss America's Servicing Company by January 13, 2012, the Court

1 will issue an order to show cause why sanctions should not be imposed for failure to comply with a
2 Court order.

3
4 **IT IS SO ORDERED.**

5 Dated: January 10, 2012


LUCY H. KOH
United States District Judge