

BRYAN CAVE LLP
TWO EMBARCADERO CENTER, SUITE 1410
201 CLAY STREET
SAN FRANCISCO, CA 94111-3907

1 **BRYAN CAVE LLP**
Ori Edelstein, Bar No.: 268145
2 Sean T. Carter, Bar No.: 206365
Two Embarcadero Center, Suite 1410
3 San Francisco, CA 94111-3907
Telephone: (415) 675-3400
4 Facsimile: (415) 675-3434
E-Mail: ori.edelstein@bryancave.com
5 carters@bryancave.com

6 **BRYAN CAVE LLP**
Stuart W. Price, California Bar No. 125918
7 3161 Michelson Drive, Suite 1500
Irvine, California 92612-4414
8 Telephone: (949) 223-7000
Facsimile: (949) 223-7100
9

Attorneys for Defendant
10 BAC HOME LOANS SERVICING, LP

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12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION**
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15 CHADWICK SUNTAY,
16 Plaintiff,
17 v.
18 BAC HOME LOANS SERVICING, LP
19 Defendants.
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Case No. 5:10-cv-05843-EJD
**~~PROPOSED~~ ORDER GRANTING
DEFENDANT’S MOTION FOR
ADMINISTRATIVE RELIEF PURSUANT
TO CIVIL L.R. 7-11**

Date: May 20, 2011
Time: N/A
Courtroom: 1, 5th Floor
Judge: Hon. Edward J. Davila

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{PROPOSED} ORDER

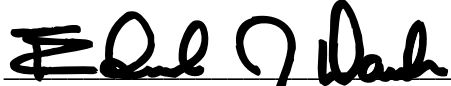
The Court has read and considered Defendant BAC Home Loans Servicing, LP's Motion for Administrative Relief Pursuant to Civil L.R. 7-11 ("Motion"). Because Plaintiff was directed to file a first amended complaint on April 13, 2011 and, as of today's date, has yet to comply with the Court's order, the Court finds that Good cause appears for the Motion.

IT IS HEREBY ORDERED THAT:

~~[This case is DISMISSED with PREJUDICE. Judgment shall be entered in favor of Defendant BAC HOME LOANS SERVICING, LP and Plaintiff shall take nothing by his Complaint against Defendant.]~~

[Defendant's Motion for Failure to Prosecute Pursuant to Rule 41(b) filed on 5/20/11 and previously set to be heard on October 28, 2011, will be reset and heard on July 1, 2011 at 9:00 a.m./p.m. in Courtroom 1, 5th Floor.] Any opposition or reply papers shall be filed in accordance with Civil Local Rule 7-3.

Dated: May 24, 2011



Hon. Edward J. Davira
United States District Court
Northern District of California