United States District Court
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

BERNIE FRANCZAK,

Plaintiff(s),

v.

SUNTRUST MORTGAGE INC.,

Defendant(s).

/

CASE NO. 5:12-cv-01453 EJD

ORDER RE: RESETTING MOTION TO DISMISS

[Docket Item No(s). 28]

Presently before the court is Defendant's request to reset its previously-filed Motion to Dismiss because the parties have reached an impasse on efforts to resolve this case. See Docket Item No. 28.

As part of the order granting the parties' stipulation to stay, the court ordered the Motion to Dismiss terminated without prejudice to being re-filed if necessary. See Docket Item No. 27. Accordingly, Defendant shall re-file and re-notice the Motion to Dismiss according to Civil Local Rule 7 after obtaining a hearing date for the motion from the undersigned's Courtroom Deputy.

IT IS SO ORDERED.

Dated: November 28, 2012

EDWARD J. DAVILA
United States District Judge

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