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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
RENO, NEVADA

EDWARD BRANFORD GIBSON and NICOLE)
LYNETTE GIBSON, Husband and Wife,)
)
Plaintiffs,)
)
vs.)
)
FIELDSTONE MORTGAGE COMPANY;)
STEWART TITLE COMPANY; QUICKEN)
LOANS INC.; TITLE SOURCE, INC;)
MORTGAGE ELECTRONIC REGISTRATION)
SYSTEMS, INC. [MERS]; RECONTRUST)
COMPANY, N.A.; BAC HOME LOANS)
SERVICING, LP; FIRST AMERICAN)
TITLE INSURANCE COMPANY; and DOES)
1-25 CORPORATIONS, DOES and ROES)
1-25 Individuals, Partnerships, or)
anyone claiming any interest to)
the property described in this)
action,)
)
Defendants.)
)
)
)

3:11-cv-00176-ECR-VPC

Order

On October 12, 2011, the Court entered an Order (#17) granting Defendants' Motion to Dismiss (#7), granting Plaintiffs leave to amend the first, second, sixth, seventh, eighth, and tenth claims for relief set forth in the original complaint. The Court further ordered that Plaintiff would have twenty-one (#21) days within which to file an amended complaint. Plaintiffs have failed to do so.

On October 28, 2011, Plaintiffs filed a Motion to Add Indispensable Party and Extend Time to Amend (#21). Defendants responded (#23) on November 6, 2011, and Plaintiffs replied (#25) on November 7, 2011.

1 Besides responding to Plaintiffs' motion, on November 6, 2011,
2 Defendants filed a Motion to Strike (#22) Plaintiffs' Motion to Add
3 Indispensable Party and Extend Time to Amend (#21). Plaintiffs
4 filed their Opposition to Motion to Strike (#24) on November 7,
5 2011, and Defendants filed their Reply (#27) on November 17, 2011.

6 Plaintiffs should have submitted a proposed amended complaint
7 on or before November 2, 2011. Plaintiff offers no excuse for
8 having failed to comply with the Order of the Court (#17). However,
9 the Court will grant Plaintiff additional time within which to file
10 an amended complaint. Absent a showing of extraordinary
11 circumstances, we do not anticipate granting Plaintiffs any further
12 extensions in the proceedings.

13 **IT IS, THEREFORE, HEREBY ORDERED** that Plaintiffs' Motion to
14 Extend Time to Amend (#21) is **GRANTED**. Plaintiffs shall have
15 fourteen (14) days within which to file an amended complaint.

16 **IT IS FURTHER ORDERED** that Plaintiffs' Motion to Add
17 Indispensable Party (#21) is **DENIED** without prejudice because there
18 is currently no complaint in this case. If Plaintiffs wish to add
19 parties, they should include them in the amended complaint.

20 **IT IS FURTHER ORDERED** that Defendants' Motion to Strike (#22)
21 is **DENIED** as moot.

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24 DATED: January 3, 2012.

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UNITED STATES DISTRICT JUDGE