

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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LARRY and LINDA CLARK

Plaintiffs,

-against-

FREMONT INVESTMENT & LOAN,  
GMAC MORTGAGE CORP., LITTON LOAN  
SERVICING LP., OCWEN LOAN SERVICING  
LLC, and MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC., a foreign  
Corporation,

Defendants.

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**ORDER DISMISSING CASE**

12- CV-5055 (RRM)(RML)

**ROSLYNN R. MAUSKOPF, United States District Judge.**

This action was commenced on October 9, 2012, with the filing in the Eastern District of New York of a complaint seeking declaratory relief concerning the identity of the legitimate owner and holder of a note and/or mortgage, declaratory relief concerning the rights associated with the note and/or mortgage, and damages. (Doc. No. 1.) Plaintiffs allege that this Court has diversity jurisdiction pursuant to 28 U.S.C. § 1332. *Id.* On October 11, 2012, this Court ordered plaintiffs to show cause in writing, by October 18, 2012, why this case should not be dismissed for lack of subject matter jurisdiction. To date, plaintiffs have not responded, nor have they communicated with the Court in any way.

As such, given plaintiffs failure to respond and for the reasons set forth in the Court's Order to Show Cause, the Court hereby DISMISSES this action without prejudice for lack of subject matter jurisdiction. The Clerk of the Court is directed to enter judgment accordingly, and close this case.

SO ORDERED.

Dated: Brooklyn, New York  
November 5, 2012

*Roslynn R. Mauskopf*

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ROSLYNN R. MAUSKOPF  
United States District Judge