

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

PEARL ANN CABILES,	)	
	)	No. C09-1114 RSL
Plaintiff,	)	
	)	ORDER GRANTING
v.	)	JPMORGAN CHASE BANK,
	)	N.A.'s MOTION TO DISMISS
WASHINGTON MUTUAL BANK; and	)	PURSUANT TO FRCP 12(b)(6)
DOES 1-50,	)	
	)	
Defendants.	)	

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This matter came before the Court on a Motion to Dismiss Pursuant to FRCP 12(b)(6), submitted by JPMorgan Chase Bank, N.A. (“Chase”), as acquirer of certain assets and liabilities of Washington Mutual Bank (“WaMu”) from the Federal Deposit Insurance Corporation acting as receiver. Plaintiff has not filed a response. Pursuant to Local Rule 7(b)(2), “[i]f a party fails to file papers in opposition to a motion, such failure may be considered by the court as an admission that the motion has merit.”

Plaintiff’s complaint has failed to allege any specific facts supporting her legal claims. For this reason and the reasons set forth in defendant’s motion, defendant’s motion to dismiss (Dkt. #6) is GRANTED. Accordingly, all claims against WaMu and Chase are hereby dismissed with prejudice.

1 DATED this 2<sup>nd</sup> day of October, 2009.

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5 Robert S. Lasnik  
6 United States District Judge  
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11 Presented by:

12 Davis Wright Tremaine, LLP  
13 Attorneys for JPMorgan Chase Bank, N.A., as  
14 acquirer of certain assets and liabilities of  
15 WaMu from the FDIC, acting as receiver

16 s/Matthew Sullivan

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