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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9
10 LYNN HOVER, et al.,

11 Plaintiffs,

12 v.

13 GMAC MORTGAGE
14 CORPORATION, et al.,

15 Defendants.

CASE NO. C16-1243JLR

ORDER

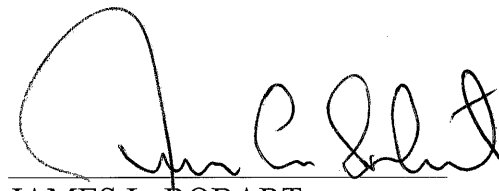
16 On March 21, 2017, the court granted Defendants Nationstar Mortgage, LLC
17 (“Nationstar”), Mortgage Electronic Registration Systems, Inc. (“MERS”), and Federal
18 National Mortgage Association’s (“Fannie Mae”) (collectively “Dismissed Defendants”) second motion to dismiss (2d MTD (Dkt. # 20)) and dismissed with prejudice Plaintiffs
19 Lynn Hover and Mila Hover’s (collectively, “the Hovers”) private nuisance, unjust
20 enrichment, and fraud claims against Dismissed Defendants (3/21/17 Order (Dkt. # 28)).
21 The court also ordered the Hovers to show cause why the court should not dismiss
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1 without prejudice their claims against the remaining defendants: GMAC Mortgage LLC
2 (“GMAC”), “Residential Mortgage Lender,” Northwest Trustee Services, Inc.
3 (“NWTS”), and John or Jane Does 1-1000 (collectively, “Remaining Defendants”). (*Id.*
4 at 2, 13-15.) The Hovers responded by filing a notice of voluntary dismissal of GMAC,
5 Residential Mortgage Lender, and NWTS. (Not. (Dkt. # 29).)

6 The Hovers’ notice purports to retain their action against Dismissed Defendants
7 and John or Jane Does 1-1000. (*Id.* at 2.) However, the court dismissed with prejudice
8 the Hovers’ claims against Dismissed Defendants. (3/21/17 Order at 8-13.) The court
9 also included John or Jane Does 1-1000 among the defendants that the Hovers appeared
10 to have failed to serve. (*Id.* at 14 & n.10.) The Hovers’ notice fails to show cause why
11 the court should not dismiss their claims against John or Jane Does 1-1000 without
12 prejudice for failure to serve. (*See id.* (citing Fed. R. Civ. P. 4(m)); Not.)

13 Based on the Hovers’ voluntary dismissal of GMAC, Residential Mortgage
14 Lender, and NWTS, and the Hovers’ failure to show cause why their claims against John
15 or Jane Does 1-1000 should not be dismissed without prejudice for failure to serve, the
16 court DISMISSES the Hovers’ claims against Remaining Defendants without prejudice.
17 Because all of the Hovers’ claims have been dismissed, the court DIRECTS the Clerk to
18 enter judgment and terminate this action.

19 Dated this th 5 day of April, 2017.


JAMES L. ROBART
United States District Judge