

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 09-81255-CIV-DIMITROULEAS

MARSHA G. RIVERNIDER;
ROBERT H. RIVERNIDER; and
CHARLES EDWARD LINCOLN, III,

Plaintiffs,

vs.

U.S. BANK NATIONAL ASSOCIATION,
as Trustee for the C-Bass Mortgage Loan Asset-Backed
Certificates, Series 2006-CBS, and all JOHN & JANE
DOES 1-10,

Defendants.

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ORDER

THIS CAUSE is before the Court *sua sponte*.

On November 18, 2009, this Court entered an Order Granting in Part, Denying in Part Motion to Dismiss. [DE-23]. Pursuant to the Court's Order [DE-23] counts I, III and V were dismissed without prejudice and Plaintiffs were directed to file an Amended Complaint on or before December 15, 2009. Plaintiffs subsequently requested an extension of time in which to file their Amended Complaint [DE-30], which the Court granted, thereby providing Plaintiffs until December 29, 2009 to file their Amended Complaint [DE-31]. However, Plaintiffs have failed to file an Amended Complaint. Having failed to amend their Complaint, the Complaint and the claims not previously dismissed by the Court remain in effect.

Accordingly, it is **ORDERED AND ADJUDGED** that Defendant shall file a response to Plaintiff's Complaint and the claims that were not dismissed by the Court on or before February 24, 2010.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida this
5th day of February, 2010.


WILLIAM P. DIMITROULEAS
United States District Judge

Copies furnished to:

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