

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

PRIORITY SEND

JS-6

CIVIL MINUTES -- GENERAL

Case No. **CV 10-8886-JFW (FFMx)**

Date: February 21, 2012

Title: L.A. Printex Industries, Inc. -v- KMart Holding Corp., et al.

PRESENT:

HONORABLE JOHN F. WALTER, UNITED STATES DISTRICT JUDGE

S. Eagle
Courtroom Deputy

None Present
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFFS:

None

ATTORNEYS PRESENT FOR DEFENDANTS:

None

PROCEEDINGS (IN CHAMBERS):

**ORDER DISMISSING ACTION WITHOUT PREJUDICE
FOR FAILURE TO COMPLY WITH COURT ORDER**

Pursuant to the Court's Scheduling and Case Management Order ("CMO") filed on July 14, 2011, the parties were ordered to conduct a Settlement Conference on or before November 3, 2011. The parties were also ordered to file a Pre-Trial Conference Order; Memo of Contentions of Fact and Law; Exhibit List & Exhibit Stipulation; Witness Lists & Summary of Witness Testimony; Status Report re: Settlement; Agreed Upon Set of Jury Instructions & Verdict Forms; and Joint Statement re: Disputed Instructions ("Pre-Trial Documents") by February 9, 2012. The parties have violated the Court's Order by failing to conduct the required Settlement Conference and failing to file any Pre-Trial Documents.

As a result of the parties' violations of the Court's Order, this action is **DISMISSED without prejudice**. See Federal Rule of Civil Procedure 41(b); see also *Yourish v. California Amplifier*, 191 F.3d 983, 986-988 (9th Cir. 1999); *Ferdik v. Bonzelet*, 963 F.2d 1258, 1260 (9th Cir. 1992).

IT IS SO ORDERED.