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LINK:

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CIVIL MINUTES – GENERAL

Case No. **CV 14-08790 (BRO) (SSx)** Date July 16, 2015

Title **NICHOLAS TIRABASSI V. CHASE HOME FINANCE, LLC ET AL.**

Present: The Honorable **BEVERLY REID O’CONNELL, United States District Judge**

Renee A. Fisher

Not Present

N/A

Deputy Clerk

Court Reporter

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

Proceedings: (IN CHAMBERS)

ORDER DISMISSING CASE FOR FAILURE TO PROSECUTE

Plaintiff Nicholas Tirabassi (“Plaintiff”) initiated this action in November 2014. (Dkt. No. 1.) The Court set a Rule 26(f) scheduling conference for June 15, 2015, at 1:30 p.m. (Dkt. No. 36.) In preparation for the conference, Defendants’ attorneys attempted to meet and confer with Plaintiff’s counsel to prepare a joint Rule 26(f) report. (Dkt. No. 37.) Although Plaintiff’s counsel initially responded with dates of availability, he did not respond to later attempts to schedule a specific time to confer. Defendants’ respective counsels agreed to meet on June 8, 2015 and invited Plaintiff’s counsel to attend. Plaintiff’s counsel did not respond to the invitation or participate in the June 8, 2015 conference. Plaintiff’s counsel also failed to appear before the Court on June 15, 2015.

Based upon Plaintiff’s counsel’s failure to appear at the scheduling conference, the Court issued an order to show cause as to why this case should not be dismissed for failure to prosecute. (Dkt. No. 39.) The order required a response by June 22, 2015. Although Plaintiff communicated that he would file a response, as of this date, Plaintiff has not responded. Accordingly, this case is hereby **DISMISSED without prejudice**. *See Link v. Wabash R.R. Co.*, 370 U.S. 626, 629–33 (1962) (finding district court did not abuse discretion in dismissing the plaintiff’s complaint where counsel failed to appear at a pretrial conference); *see also* Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

Initials of Preparer

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