

1 further case or controversy. Therefore, there will no longer be a dispute that the Court can
2 mediate. The Court will not dismiss this action contingent upon the setting of a settlement
3 conference.

4 Further, on April 21, 2010, an order to show cause was entered, directing Plaintiff to
5 show cause within thirty days why this action should not be dismissed pursuant to Local Rule
6 110 for Plaintiff's failure to file a status report. Plaintiff has failed to file a status report in
7 response to the order to show cause. Should Plaintiff desire to proceed with this action, he must
8 file a status report in accordance with the order of February 19, 2010. The Court will grant
9 Plaintiff an extension of time in which to notify the Court regarding his intention to proceed with
10 this action. Plaintiff is again advised that should he desire to dismiss this action on his own
11 motion, the Court will not schedule a settlement conference. If Plaintiff still wants to dismiss
12 this action, he should so inform the Court. Should Plaintiff fail to respond to this order, this
13 action will be dismissed without prejudice pursuant to Local Rule 110.

14 Accordingly, IT IS HEREBY ORDERED that Plaintiff shall, within thirty days of the
15 date of service of this order, file either a status report or a notice of voluntary dismissal. Should
16 Plaintiff fail to respond to this order, this action will be dismissed without prejudice pursuant to
17 Local Rule 110 for Plaintiff's failure to prosecute.

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20 IT IS SO ORDERED.

21 **Dated: June 11, 2010**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE