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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ALFREDO E. ZEPEDA,

1:07-cv-01483-LJO-GSA-PC

Plaintiff,

ORDER REQUIRING PLAINTIFF TO FILE
OPPOSITION OR STATEMENT OF NON-
OPPOSITION TO DEFENDANT’S MOTION
TO DISMISS WITHIN THIRTY DAYS

v.

JAMES A. YATES, et al.,

(Doc. 23.)

Defendants.

On December 2, 2009, defendants R. J. Reynolds Tobacco Company and Brown & Williamson Holdings, Inc. ("Defendant") filed a motion to dismiss. (Doc. 43.) Plaintiff was required to file an opposition or a statement of non-opposition to the motion within twenty-one days, but has not done so. Local Rule 78-230(m).

Accordingly, within **thirty (30) days** from the date of service of this order, Plaintiff must file an opposition or a statement of non-opposition to Defendant’s motion to dismiss. If Plaintiff fails to comply with this order, this action will be dismissed, with prejudice, for failure to obey the Court’s order and failure to prosecute.

IT IS SO ORDERED.

Dated: February 18, 2010

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE