



1 Equifirst that Plaintiff intended to dismiss the case.

2 Accordingly, Setlich is ordered to show cause in writing why this case should not be  
3 dismissed for Plaintiff's failure to prosecute as to the remaining defendants, Equifirst  
4 Corporation ("Equifirst") and Bradley Gilton ("Gilton"). The court will accept a response from  
5 Plaintiff's counsel to this order. Alternatively, Plaintiff may file a Rule 41(a)(1) notice of  
6 voluntary dismissal. Plaintiff's counsel is reminded, however, that pursuant to the court's  
7 October 15, 2009 order, any other future filings will be stricken.

8 Plaintiff's counsel is forewarned that pursuant to Local Rule 11-110, "a failure of counsel  
9 or a party to comply with these Local Rules or with any order of the Court may be grounds for  
10 the imposition by the Court of any and all sanctions . . . within the inherent power of the Court."  
11 District courts have the inherent power to control their dockets and "in the exercise of that  
12 power, they may impose sanctions including, where appropriate . . . dismissal of a case."

13  
14 **ORDER**

15 For the reasons discussed above, IT IS HEREBY ORDERED that:

- 16 1. Setlich is ordered to show cause in writing, on or by November 17, 2009, as to  
17 why this case should not be dismissed as to Equifirst and Gilton; and  
18 2. Setlich is allowed to file a response to this order or a notice of voluntary  
19 dismissal. As indicated in the court's prior order, any other future filings will be  
20 stricken.

21  
22 IT IS SO ORDERED.

23 **Dated:** November 5, 2009

/s/ Anthony W. Ishii  
CHIEF UNITED STATES DISTRICT JUDGE