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6 **UNITED STATES DISTRICT COURT**  
7 **EASTERN DISTRICT OF CALIFORNIA**  
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9 **JOSHUA MORDOFF,**

10 **Plaintiff**

11 **v.**

12 **CITY OF MODESTO, et al.,**

13 **Defendants**  
14

**CASE NO. 1:11-CV-1039 AWI SAB**

**ORDER ON ORDER TO SHOW CAUSE  
AND ORDER TERMINATING ACTION**

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16 On January 23, 2014, the Court vacated a pre-trial conference and issued an order to show  
17 cause why sanctions should not be imposed. See Doc. No. 52. Defendants filed a response that  
18 indicates that this matter has fully settled, but that Plaintiff has refused to submit dismissal papers.  
19 See Doc. No. 53. Plaintiff failed to respond to the Court's order or to Defendants' response.

20 After considering the Defendants' response, the Court will impose no sanctions against  
21 Defendants. As for Plaintiff, he does not refute Defendants' assertion that this case has settled,  
22 nor has he refuted that he has been unresponsive and uncooperative as to his settlement  
23 obligations. Despite the fact that this case has concluded, Plaintiff has inexplicably remained  
24 silent. In the absence of any response from Plaintiffs, and given Plaintiff's disregard for his  
25 obligations to this Court and opposing counsel, this case will be dismissed with prejudice. See  
26 Local Rule 110; Bautista v. Los Angeles Cnty, 216 F.3d 837, 841 (9th Cir. 2000); Ghazali v.  
27 Moran, 46 F.3d 52, 53-54 (9th Cir. 1995); In re Eisen, 31 F.3d 1447, 1456 (9th Cir. 1994); Ferdik  
28 v. Bonzelet, 963 F.2d 1258, 1260-61 (9th Cir. 1992).

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Accordingly, IT IS HEREBY ORDERED that:

- 1. All currently scheduled dates and deadlines are VACATED;
- 2. This case is DISMISSED WITH PREJUDICE; and
- 3. The Clerk shall CLOSE this case.

IT IS SO ORDERED.

Dated: February 3, 2014

  
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SENIOR DISTRICT JUDGE