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7 **UNITED STATES DISTRICT COURT**
8 **EASTERN DISTRICT OF CALIFORNIA**
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10 **LAURA J. FLAM,**

11 **Plaintiff**

12 **v.**

13 **MARSHALL S. FLAM, M.D.,**

14 **Defendant**
15

CASE NO. 1:12-CV-1052 AWI DLB

**ORDER WITHDRAWING LEAVE TO
AMEND AND CLOSING CASE**

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17 On April 29, 2016, the Court granted Defendant’s motion to dismiss. See Doc. No. 47. As
18 part of the order of dismissal, the Court gave Plaintiff leave to amend, but warned Plaintiff that if
19 she did “not file a timely amended complaint, leave to amend will be withdrawn and this case will
20 be closed without further notice.” Id.

21 On May 12, 2016, Plaintiff timely filed a response to the dismissal order. See Doc. No. 48.
22 In relevant part, Plaintiff’s response states: “Having considered the Court’s Order, the various
23 options and the potential costs with further litigation, Plaintiff has elected not to file an amended
24 ERISA complaint.” Id.

25 In light of the Court’s warning and Plaintiff’s response, it is apparent that Plaintiff does not
26 intend to file an amended complaint or proceed further in this court. Therefore, the Court will
27 withdraw leave to amend and close this case.
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Accordingly, IT IS HEREBY ORDERED that:

- 1. The leave to file an amended complaint that was granted on April 29, 2016 (Doc. No. 47) is WITHDRAWN; and
- 2. The Clerk shall CLOSE this case.

IT IS SO ORDERED.

Dated: May 16, 2016



SENIOR DISTRICT JUDGE