



1 the deadline to file the motion for class certification did not explain the failure to conduct discovery to  
2 flesh out the class allegations or to file the class certification motion. (Doc. 23) After this, the plaintiff  
3 has made no effort to advance the cause of the putative class or to dismiss the class allegations. Thus,  
4 the Court ordered the plaintiff to show cause why the class allegations should not be dismissed. (Doc.  
5 26) He responded and agreed that the allegations should be dismissed and requested the matter to be  
6 remanded to state court. (Doc. 27)

7         The Local Rules also provide that the “[f]ailure of counsel or of a party to comply with  
8 . . . any order of the Court may be grounds for the imposition by the Court of any and all sanctions . . .  
9 within the inherent power of the Court.” L.R. 110. “District courts have inherent power to control their  
10 dockets” and in exercising that power, may impose sanctions, including dismissal of an action.  
11 *Thompson v. Hous. Auth., City of Los Angeles*, 782 F.2d 829, 831 (9th Cir. 1986). A court may dismiss  
12 an action based on a party’s failure to prosecute an action, obey a court order, or comply with local  
13 rules. See, e.g., *Ferdik v. Bonzelet*, 963 F.2d 1258, 1260–61 (9th Cir. 1992) (dismissal for failure to  
14 comply with a court order to amend a complaint); *Malone v. U.S. Postal Serv.*, 833 F.2d 128, 130–31  
15 (9th Cir. 1987) (dismissal for failure to comply with a court order); *Henderson v. Duncan*, 779 F.2d  
16 1421, 1424 (9th Cir. 1986) (dismissal for failure to prosecute and to comply with local rules). Thus,  
17 the Court recommends that the class allegations be dismissed without prejudice.<sup>1</sup>

18         These Findings and Recommendations will be submitted to the United States District Judge  
19 assigned to this case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). **Within 14 days** of the date  
20 of service of these Findings and Recommendations, the plaintiff may file written objections with the  
21 Court. The document should be captioned, “Objections to Magistrate Judge’s Findings and  
22 Recommendations.” The defense may reply to the objections within seven days thereafter.

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27 <sup>1</sup> The plaintiff may file a motion to remand the matter, if he believes such a motion is warranted. The  
28 Court declines to consider the informal request without a formal motion and proper notice.  
Consequently, the request of the defense to file a reply (Doc. 28) is **DENIED** as **MOOT**.

