IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice for failure to comply with a court order and failure to prosecute this action. See Fed. R. Civ. P. 41(b); Local Rule 11-110.

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These findings and recommendations will be submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(l). Within twenty days after being served with these findings and recommendations, plaintiff may file written objections with the court. A document containing objections should be titled "Objections to Magistrate Judge's Findings and Recommendations." Plaintiff is advised that failure to file objections within the specified time may waive the right to appeal the District Court's order. See Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

UNITED STATES MAGISTRATE JUDGE

DATED: November 13, 2009.

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DAD:kw