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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

CLINTON WAGNER,

Plaintiff,

No. 2: 09-cv-3166 KJM KJN P

vs.

MOSS POSNER, et al.,

Defendants.

ORDER

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On May 6, 2011, defendants filed a motion for summary judgment pursuant to Federal Rule of Civil Procedure 56. Plaintiff has not opposed the motion.

Local Rule 230(l) provides in part: “Failure of the responding party to file written opposition or to file a statement of no opposition may be deemed a waiver of any opposition to the granting of the motion . . . .” On February 17, 2010, plaintiff was advised of the requirements for filing an opposition to a motion and that failure to oppose such a motion may be deemed a waiver of opposition to the motion.

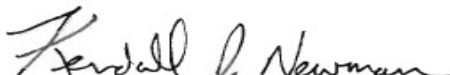
Local Rule 110 provides that failure to comply with the Local Rules “may be grounds for imposition of any and all sanctions authorized by statute or Rule or within the inherent power of the Court.” In the order filed February 17, 2010, plaintiff was also advised that failure to comply with the Local Rules may result in a recommendation that the action be

1 dismissed.

2                   Good cause appearing, IT IS HEREBY ORDERED that, within thirty days of the  
3 date of this order, plaintiff shall file an opposition, if any, to the motion for summary judgment.  
4 Failure to file an opposition will be deemed as a statement of non-opposition and shall result in a  
5 recommendation that this action be dismissed pursuant Federal Rule of Civil Procedure 41(b).

6 DATED: June 21, 2011

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KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE

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