IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

Z.F, a minor, by and through his parents M.A.F and J.F. and M.A.F. and J.F. individually; L.H., and J.H., minors, by and through their parents J.A. and J.R.H. and J.A. and J.R.H. individually; A.N., a minor, by and through his parents, G.N. and M.R., and G.N. and M.R. individually,

Plaintiffs, on behalf of themselves and all others similarly situated,

v.

RIPON UNIFIED SCHOOL DISTRICT (RUSD); RIPON UNIFIED SCHOOL DISTRICT BOARD OF TRUSTEES; SAN JOAQUIN COUNTY OFFICE OF EDUCATION; VALLEY MOUNTAIN REGIONAL CENTER (VMRC), MODESTO CITY SCHOOLS, MODESTO CITY SCHOOLS BOARD OF EDUCATION, RICHARD JACOBS, Executive Director of VMRC, in his official and individual capacity, TARA SISEMORE-HESTER, Coordinator for Autism Services for VMRC, in her official and individual capacity; VIRGINIA JOHNSON, Director of Modesto City Schools SELPA, in her official and individual capacity; SUE SWARTZLANDER, Program Director for Modesto City Schools, in her official and individual capacity and Does 1 - 200.,

Defendants.

2:10-cv-00523-GEB-JFM

ORDER OF DISMISSAL

VALLEY MOUNTAIN REGIONAL CENTER, RICHARD JACOBS and TARA SISEMORE-HESTER

Counter-claimants,

v.

M.A.F. and J.A., SPECIAL NEEDS ADVOCATES FOR UNDERSTANDING, and AUTISM REFORM CALIFORNIA,

Counter-defendants.

Counter-claimants were required to respond to an Order filed September 29, 2011 by filing a document showing good cause for their failure to serve cross-defendant Autism Reform California within the 120-day period prescribed in Federal Rule of Civil Procedure 4(m). (ECF No. 143, 2:15-25.) This filing was due no later than 4:00 p.m. on October 7, 2011. Id. The September 29, 2011 Order warned cross-claimants that failure to make the required showing by the deadline may result in this cross-defendant being dismissed from this action.

Cross-complainants failed to respond to the September 29, 2011 Order. Therefore, cross-defendant Autism Reform California is dismissed from this action without prejudice.

IT IS SO ORDERED.

Dated: June 29, 2012

GARLAND E. BURRELL, JR.
United States District Judge