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

10 MARK J. VANDENBURGH,

11 Plaintiff,

No. 2:10-cv-0612 JAM KJN P

12 vs.

FINDINGS & RECOMMENDATIONS

13 ARAMARK, et al.,

14 Defendants.

15 _____/


16 By order filed June 11, 2010, plaintiff's amended complaint was dismissed and
17 thirty days leave to file a second amended complaint was granted. The thirty-day period has now
18 expired, and plaintiff has not filed an amended complaint or otherwise responded to the court's
19 order.

20 IT IS HEREBY RECOMMENDED that this action be dismissed without
21 prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b).

22 These findings and recommendations are submitted to the United States District
23 Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen
24 days after being served with these findings and recommendations, plaintiff may file written
25 objections with the court. The document should be captioned "Objections to Magistrate Judge's
26 Findings and Recommendations." Any response to the objections shall be filed and served

1 within fourteen days after service of the objections. Plaintiff is advised that failure to file
2 objections within the specified time may waive the right to appeal the District Court's order.
3 Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

4 DATED: July 23, 2010

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7 KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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