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

SWECO PRODUCTS, INC.,

Plaintiff,

No. CIV S-11-2211 KJM-EFB

vs.

SUTTER EQUIPMENT COMPANY, INC.,

Defendant.

ORDER

On December 20, 2011, the court ordered defendant's counsel to show cause, within fourteen days, why sanctions should not be imposed against him or his client for failure to file a responsive pleading. (ECF 8.) Plaintiff voluntarily dismissed this case on December 22, 2011. (ECF 9.) Reading between the lines, as it should not have to do, the court gathers that plaintiff did not file the dismissal as promptly as defense counsel anticipated. The best practice would have been to advise the court once the deadline passed for responding to the complaint. Nevertheless, in light of dismissal of the case, the order to show cause is discharged.

DATED: January 10, 2012.


UNITED STATES DISTRICT JUDGE