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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOE HAND PROMOTIONS, INC.,

Plaintiff,

v.

ROSEVILLE LODGE NO. 1293,
LOYAL ORDER OF MOOSE,
INCORPORATED, an unknown
business entity d/b/a MOOSE LODGE
1293,

Defendant.

No. 2:14-cv-00361-MCE-EFB

ORDER

On February 10, 2016, the Court granted in part and denied in part Plaintiff's Motion for Summary Judgment. ECF No. 31. The Court also directed Plaintiff, within 14 days of the filing of the Court's Order, to "inform the Court whether it [would] proceed on the fourth cause of action or seek dismissal of that claim and request that this case be closed." Id. at 12. Plaintiff was specifically advised that if no notice was timely filed, "this case will be closed without any further notice to the parties." Id.

Plaintiff has not filed any notice with the Court concerning its fourth cause of action and more than 14 days have elapsed since the Court's February 10, 2016, Order. Accordingly, that cause of action is DISMISSED.

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In addition, the Court's Order inadvertently neglected to fully dispose of Plaintiff's second cause of action, despite the Court finding it legally infirm. Id. at 7. The Court's Order is therefore amended such that Defendants' Motion for Summary Judgment is GRANTED as to Plaintiff's second cause of action. See Fed. R. Civ. P. 60(a) ("The court may correct . . . a mistake arising from oversight or omission whenever one is found in a judgment, order, or other part of the record. The court may do so . . . on its own, with or without notice.").

There being nothing further pending before the Court, the Clerk of Court is directed to close this case.

IT IS SO ORDERED.

Dated: January 5, 2017


MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE