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1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF CALIFORNIA 10 11 ANTHONY MONTE, et al., No. 2:17-cv-00411-MCE-DB 12 Plaintiffs, 13 **ORDER** ٧. 14 CITY OF LODI, et al., 15 Defendants. 16 17 On July 9, 2018, this Court filed a Memorandum and Order (ECF No. 30) granting 18 Defendant's Motion to Dismiss (ECF No. 28) without leave to amend and directing the 19 parties that any motion to substitute a proper party for Plaintiff Patricia Monte, who is 20 deceased, must be filed within five (5) days. The Court expressly advised Plaintiffs that 21 "[i]f no such Motion is timely filed, the causes of action brought on behalf of Patricia will 22 be dismissed without leave to amend upon no further notice to the parties." Id. at 2. 23 /// /// 24 25 ///26 /// 27 /// 28 /// 1

No Motion to Substitute has since been filed. Accordingly, the causes of action set forth by Patricia Monte are hereby DISMISSED with prejudice. This case shall proceed on Plaintiffs' remaining causes of action.

IT IS SO ORDERED.

Dated: July 18, 2018

MORRISON C. ENGLAND, JR UNITED STATES DISTRICT JUDGE