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

ALEXANDER PRESNIAKOV,

Plaintiff,

No. C 04-00831 JSW

v.

**ORDER REQUIRING JOINT
STATUS REPORTS**

RETAIL DISTRIBUTORS LLC, et al.,

Defendants.

On October 16, 2008, the Court discharged an Order to Show Cause and directed Plaintiff to file a motion to lift the stay in this case by no later than October 31, 2008, if Plaintiff did pursue the arbitration. No such motion has been filed. Accordingly, the Court presumes Plaintiff is pursuing the arbitration. Given the age of this case, the Court **HEREBY ORDERS** the parties to submit a joint status report to the Court by December 5, 2008, confirming that the arbitration is proceeding.

In its October 16, 2008, Order, the Court advised Plaintiff that if he did not pursue the arbitration, his motion to lift the stay was due by no later than October 31, 2008. The Court also advised Plaintiff that failure to comply with that deadline shall result in the dismissal of Plaintiff's claims in this Court.

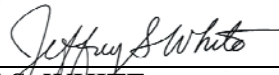
Accordingly, if the joint status report states that Plaintiff has not pursued the arbitration, because Plaintiff has not moved to lift the stay in accordance with the Court's deadline, the matter shall be dismissed.

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If the joint status report states that Plaintiff has pursued the arbitration, the parties shall be required to submit further joint status reports to the Court every 120 days until the stay is to be lifted. The parties are FURTHER ADVISED that failure to submit the joint status reports on a timely basis may result in the imposition of sanctions.

IT IS SO ORDERED.

Dated: November 25, 2008



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE