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

JENNIFER MILLER, et al,

Plaintiffs,

v

WARREN E RUPF, et al,

Defendants.

No C 07-01137 VRW  
Related to C-02-02831

ORDER

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At the December 10, 2009 hearing, the court ordered plaintiffs to show cause not later than December 30, 2009 why their claims should not be dismissed for failure to prosecute. Doc #131. In addition, plaintiffs were ordered to respond to defendants' summary judgment motions not later than December 30, 2009. Id.

At the December 10 hearing, the court warned plaintiffs that failure to respond timely would result in dismissal of the action pursuant to FRCP 41(b). Doc #131. Plaintiffs have failed to file a response to the order to show cause or an opposition to

1 defendants' motions for summary judgment, and the deadline for  
2 doing so has passed. Accordingly, the action is DISMISSED pursuant  
3 to FRCP 41(b). The clerk is directed to terminate all motions,  
4 enter judgment in favor of defendants and close the file.

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6 IT IS SO ORDERED.



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8 VAUGHN R WALKER  
9 United States District Chief Judge

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