

1 UNITED STATES DISTRICT COURT  
2 Northern District of California

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4 ABDUL RAHIMI,

5 Plaintiff(s),

No. C 08-04712 MEJ

6 v.

7 NATIONAL RAILROAD PASSENGER  
CORPORATION,

**ORDER GRANTING DEFENDANT'S  
MOTION TO DISMISS**

8 Defendant(s).  
9 \_\_\_\_\_/

**ORDER DENYING DEFENDANT'S  
MOTION FOR SANCTIONS**

10 Before the Court is Defendant Hayward Unified School District's Motion to Dismiss and  
11 Request for Sanctions. Pursuant to Civil Local Rule 7-1(b), the Court finds this matter suitable for  
12 decision without oral argument and hereby VACATES the August 27, 2009 hearing. Having  
13 received no opposition from the plaintiffs, the Court hereby GRANTS Defendant's motion and  
14 DISMISSES Defendant Hayward Unified School District for the reasons stated in Defendant's  
15 motion.

16 As to Defendant's request for sanctions, the Court shall not award sanctions at this time.  
17 However, the Court notes that Plaintiffs' counsel failed to sign or respond to defense counsel's  
18 stipulation to dismiss per the Court's June 30, 2009 Order. Had Plaintiffs' counsel signed the  
19 stipulation, Defendant would not have been forced to incur further legal fees associated with filing  
20 its motion, and the Court would not have had to take time away from other pending cases to consider  
21 it. Accordingly, the Court hereby warns Plaintiff's counsel that, should a request for sanctions  
22 against Plaintiffs or their counsel be brought before the Court again, the Court is likely to impose the  
23 requested sanctions if good cause exists.

24 **IT IS SO ORDERED.**

25  
26 Dated: August 14, 2009

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Maria-Elena James  
Chief United States Magistrate Judge