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7 IN THE UNITED STATES DISTRICT COURT
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9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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11 JOE HAND PROMOTIONS, INC.,

12 Plaintiff,

No. C 09-00454 WHA

13 v.

14 MALAYTHONG BUSH a/k/a
15 MALAYTHONG SINGH, individually
and d/b/a LUCKY PIZZA,

**ORDER DISMISSING CASE AND
TERMINATING JURISDICTION**

16 Defendants.
17 _____/

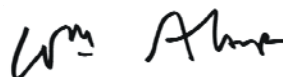
18 The order of dismissal in this matter (Dkt. No. 40) retained jurisdiction to enforce the
19 parties' settlement agreement until August 1, 2010. Before that time elapsed plaintiff filed a
20 "motion to set aside settlement and reopen action" on the grounds that defendants have
21 allegedly failed to honor the terms of the settlement agreement. Defendants filed a statement of
22 nonopposition and the matter was reopened.

23 A further case management conference was held on August 12, 2010. Plaintiff failed to
24 appear. Because plaintiff has failed to diligently prosecute its case, this action is **DISMISSED**.
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1 The Court shall not maintain jurisdiction to enforce a settlement agreement that is in place and
2 under which payments have been made. The Clerk shall close the file.

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4 **IT IS SO ORDERED.**

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6 Dated: August 13, 2010.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE