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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, ex)  
rel. SAMUEL J. MAY, et al., )  
Plaintiff(s), )  
v. )  
AMGEN INC., a Delaware )  
Corporation, )  
Defendant(s). )  
\_\_\_\_\_ )

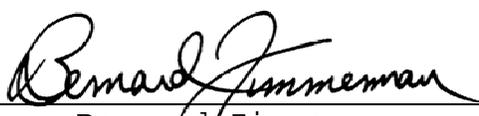
No. C10-2577 BZ

**ORDER DISMISSING CASE FOR  
LACK OF PROSECUTION**

This case is a year and a half old. The United States declined to intervene on September 24, 2010. Relator Samuel May has had ample opportunity to find new counsel. On October 31, 2011, he was provided with 60 more days to obtain counsel and file a notice of appearance. He was reminded of this on December 5, 2011. No appearance has been filed. Mr. May has been advised that he cannot maintain this case as a pro se litigant, Stoner v. Santa Clara County Office of Education, 502 F.3d 1116, 1126-27 (9th Circ. 2007), and the court has already provided Mr. May with extensions of time in which to obtain counsel. (See Docket Nos. 21 and 27) **IT IS THEREFORE**

1 **ORDERED** that this matter is **DISMISSED WITHOUT PREJUDICE** for  
2 failure to prosecute.

3 Dated: January 5, 2012

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6 \_\_\_\_\_  
7 Bernard Zimmerman  
8 United States Magistrate Judge

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CASE.wpd