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10  
11 IN THE UNITED STATES DISTRICT COURT  
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
13 SAN FRANCISCO DIVISION

14 SARAH BERRY,  
15 Plaintiff,

16 v.

17 CA DEPT. OF INDUSTRIAL  
RELATIONS/DOSH,  
18 Defendant.

Civil Case No. CV-10-2775-BZ

**[PROPOSED] ORDER DISMISSING  
PLAINTIFF'S EMPLOYMENT  
DISCRIMINATION COMPLAINT**

Courtroom: G, 15<sup>th</sup> Floor  
450 Golden Gate Avenue,  
San Francisco, California

Judge: Magistrate Bernard Zimmerman

Complaint Filed: June 24, 2010

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23 Defendant's Motion to Dismiss regularly came on calendar for hearing on October 27,  
24 2010. Therese da Luz appeared for Defendant and moving party. Plaintiff appeared in forma  
25 pauperis. Both sides having presented written and oral argument, the matter was submitted for  
26 decision. After considering all arguments, this Court issued an Order on October 27, 2010, as  
27 follows (in relevant part): 1. DIR's motion to dismiss is granted with leave to amend; and 2. If  
28 Berry desires to proceed with this lawsuit, she must file an amended complaint by November 29,

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RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

FILED

DEC 13 2010

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

1 2010. If plaintiff does not amend or otherwise comply with this Order by November 29, 2010, this  
2 case will be dismissed.

3 Plaintiff has failed to amend the complaint by November 29, 2010, in noncompliance with  
4 this Court's Order; GOOD CAUSE thus exists to dismiss plaintiff's employment discrimination  
5 complaint in its entirety, ~~and with prejudice.~~ *B*

6 Plaintiff's employment discrimination complaint is hereby dismissed in its entirety, ~~and~~  
7 ~~with prejudice.~~ *B*

8 The case management conference presently scheduled for January 24, 2011, at 4:00 p.m.  
9 is VACATED.

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Dated: 13 Dec, 2010

*Bernard Zimmerman*  
HON. BERNARD ZIMMERMAN  
U.S. Magistrate Judge