

1
2 UNITED STATES DISTRICT COURT
3 Northern District of California
4

5 VICTOR T. WILSON,

No. C 10-05950 MEJ

6 Plaintiff,

7 v.

ORDER RE STATUS

8 SHAUN DONOVAN, Secretary of the U.S.
9 Department of Housing and Urban
10 Development, WILLIAM M. ELSBURY,
11 KIMBERLY Y. NASH, and DOES 1 through
12 100,

Defendants.
_____ /

13 On May 18, 2011, the Court granted Defendant Shaun Donovan's Motion to Dismiss
14 Plaintiff Victor Wilson's Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6). Dkt. No.
15 16. However, because the Court found that Plaintiff may cure the pleading deficiencies as outlined
16 in the May 18 Order, the Court granted Plaintiff leave to file a First Amended Complaint within 14
17 days of the Order. Plaintiff has failed to file any amended complaint. Accordingly, the Court
18 ordered Plaintiff Victor T. Wilson to show cause why this case should not be dismissed with
19 prejudice for failure to prosecute. Although Plaintiff failed to respond to the order to show cause,
20 counsel for Defendants appeared at the hearing on July 28, 2011, and informed the Court that this
21 matter had settled as part of another case. Accordingly, the Court hereby ORDERS the parties to
22 file a stipulation for dismissal or joint status report by August 25, 2011. If Plaintiff does not
23 contribute to the dismissal or status report filing, this case shall be dismissed with prejudice.

24 **IT IS SO ORDERED.**

25
26 Dated: July 28, 2011

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Maria-Elena James
Chief United States Magistrate Judge