

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ANGEL MANOSCA,

No. C 11-2183 SI

Plaintiff,

**ORDER DISMISSING CASE WITHOUT
PREJUDICE FOR FAILURE TO
PROSECUTE**

WACHOVIA MORTGAGE, *et al.*,

Defendants.

14 In an order filed July 20, 2011, the Court granted defendants' motion to dismiss the complaint
15 and granted plaintiff limited leave to amend. The amended complaint was due no later than August 3,
16 2011. Plaintiff, who is represented by counsel, did not file an amended complaint. On August 24, 2011,
17 defendants filed a motion to dismiss for failure to comply with the Court's order. Defendants' motion
18 states, *inter alia*, that defense counsel emailed plaintiff's counsel inquiring whether plaintiff intended
19 to file a belated amended complaint, and that plaintiff's counsel would "not disclose that information."
20 Docket No. 31 at 1:6-7. Plaintiff has not taken any action in this case since the July 20, 2011 order.

21 Accordingly, pursuant to Federal Rule of Civil Procedure 41(b), the Court dismisses this case
22 without prejudice for failure to prosecute.¹ All pending motions are DENIED AS MOOT.

IT IS SO ORDERED.

25 || Dated: August 29, 2011

Susan Illston
SUSAN ILLSTON
United States District J

²⁸ ¹ The Court's July 20, 2011 order dismissed a number of claims without leave to amend, and granted limited leave to amend the fraud and breach of contract claims.