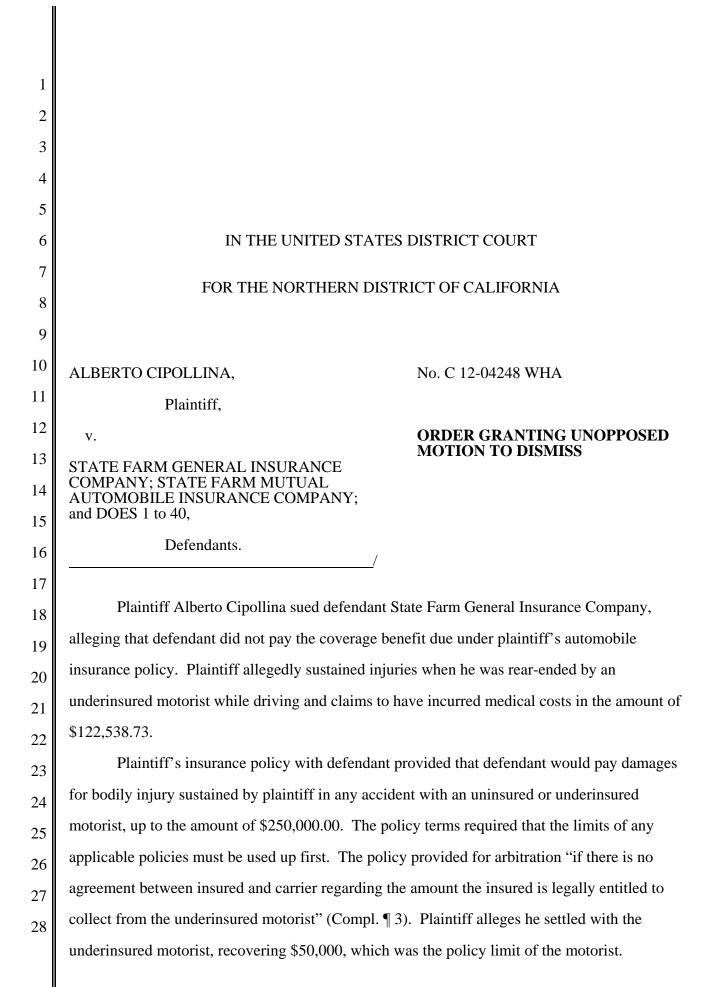
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United States District Court For the Northern District of California

Following an arbitration, the arbitrator found in favor of plaintiff and awarded \$100,260,54. After deduction of the settlement and medical pay credits, plaintiff alleges he was "awarded \$45,260.54 in new money" (id. ¶ 10). Plaintiff alleges claims for breach of contract, breach of the covenant of good faith and fair dealing, and violation of California Business and Professions Code Section 17200. Defendant moved to dismiss plaintiff's claims for breach of contract and violation of Section 17200. After plaintiff failed to timely respond to the motion to dismiss, he was ordered to show cause why the motion should not be granted. In response, plaintiff filed a statement of non-opposition to the motion.

Defendant's unopposed motion to dismiss plaintiff's claim for breach of contract and unfair competition under Section 17200 is GRANTED. As plaintiff has made no effort to timely respond to the motion, and has not otherwise indicated that amendment would address the problems identified in this order, the two claims are **DISMISSED WITHOUT LEAVE TO AMEND**. The hearing set for October 18, 2012 is hereby VACATED.

IT IS SO ORDERED.

Dated: October 4, 2012.

WILLIAM ALSUP UNITED STATES DISTRICT JUDGE