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United States District Court
For the Northern District of California

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

LI CHING CHU, ROBERT CHING LIANG
HUNG, individually and as successors-in-
interest to CINDY K. HUNG (deceased),

Plaintiffs,

v.

TRIBAL TECHNOLOGIES, INCORPORATED,
TRIBAL BRANDS, INCORPORATED, JEFF
MARTIN, JOE VIERRA, and VICTORIA
DINOVICH

Defendants.

No. C 12-05306 WHA

Related to

No. C 11-04990 WHA

**ORDER DISMISSING ACTION
FOR FAILURE TO PROSECUTE**

By order dated January 25, 2013, defendants' motion to dismiss plaintiffs' complaint was granted. The order provided that plaintiffs could seek leave to file an amended complaint by February 15. The order further provided that plaintiffs must file a motion for leave to amend, attaching a proposed amended complaint specifically addressing three matters, including administrative exhaustion under FEHA, applicability of any equitable doctrine excusing failure to exhaust, and specifying what express provisions or implied covenants defendants allegedly breached. The deadline for seeking leave to amend has come and gone, and no motion or proposed amended complaint has been received. Accordingly, the action is hereby **DISMISSED FOR FAILURE TO PROSECUTE**. Judgment will be entered by separate order.

IT IS SO ORDERED.

Dated: February 22, 2013.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE