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

MICHAEL A. BRUZZONE,
Plaintiff,

No. C 14-01279 WHA

v.

INTEL CORPORATION, et al.,
Defendants.

ORDER DISMISSING ACTION


In May 2014, *pro se* Michael Bruzzone's complaint was stricken. He was given until June 4 to file a first amended complaint "or this action will be dismissed" (Dkt. No. 51). That deadline has passed and plaintiff has failed to file a first amended complaint. Accordingly, there is no operative complaint in this action.

Michael Bruzzone then filed a motion to disqualify, which was denied by Judge Yvonne Gonzalez Rogers (Dkt. Nos. 56, 58).

In June 2014, the parties were ordered to show cause why this action should not be dismissed (Dkt. No. 59). Defendants Intel Corporation and ARM, Inc. stated no objection to dismissal. Intel, however, has filed a motion to declare Michael Bruzzone a vexatious litigant, noticed for a hearing on August 14 (Dkt. No. 61). Michael Bruzzone filed a response to the order to show cause refusing to file a first amended complaint. Since there is no operative complaint, this action cannot proceed. Judgment shall be entered. Intel's motion will be considered in due course.

IT IS SO ORDERED.

Dated: June 28, 2014.


WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE