

United States District Court  
For the Northern District of California

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

IRMA RAMIREZ,

Plaintiff,

No. C 15-03793 WHA

v.

FULTON MARKET PLACE S.C., L.P.,

Defendant.

**ORDER DENYING  
MOTION AS MOOT**

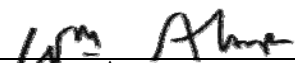
Plaintiff’s motion for summary judgment was scheduled for a hearing today.

Defendant had been ordered to show cause why the motion should not be granted in light of its failure to respond to the motion. Defendant stated the parties had reached a settlement and asked the court to refrain from entering judgment until after the hearing. Defendant filed a notice of settlement on October 12, stating that the parties anticipate filing a stipulation for dismissal within thirty days. Neither side addressed the pending motion or sought to vacate the hearing.

The case was called at the Court’s regularly-scheduled civil calendar, and no one appeared for either side. This order **DENIES AS MOOT** plaintiff’s motion for summary judgment without prejudice to refile the motion. If no stipulated dismissal is received by **NOVEMBER 10 AT NOON**, the case will be dismissed for failure to prosecute.

**IT IS SO ORDERED.**

Dated: October 13, 2016.

  
WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE