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28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DOLORES JOHNSON,

No. C-11-02955-DMR

Plaintiff(s),

**ORDER DISMISSING DEFENDANTS
FOR FAILURE TO PROSECUTE**

v.

THE ROSA FAMILY TRUST,

Defendant(s).

Plaintiff Dolores Johnson filed this action on June 15, 2011. [See Docket No. 1.] On September 21, 2011, the court held a case management conference, but Plaintiff failed to appear. Moreover, Plaintiff had not served most of the Defendants. The court therefore Ordered Plaintiff to Show Cause why the court should not dismiss her case for failure to prosecute. [Docket No. 9.] Plaintiff's counsel filed an untimely response to the Order to Show Cause. [Docket No. 12.] The following day, the court discharged the Order to Show Cause, but warned Plaintiff that further failures to appear or to meet court deadlines would result in sanctions. [Docket No. 13.] On November 30, 2011, the court held a further case management conference. The court dismissed Defendants Melissa Fernandez and Molto Bene, LLC for failure to prosecute, and ordered Plaintiff to serve the remaining Defendants by no later than December 2, 2011. It also warned Plaintiff that failure to comply could result in the Defendants' dismissals for failure to prosecute. [Docket No. 22.] To date, Plaintiff has not served Defendants.

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For these reasons, the court ORDERS that Defendants The Rosa Family Trust, Edward J. Rosa, Claire M. Rosa, Zata Capital Group, LLC, Leonardo Fernando, Jr., The Law offices of Les Zieve, and Michael Gonzales DISMISSED for failure to prosecute.

IT IS SO ORDERED.

Dated: December 15, 2011

DONNA M. RYU
United States Magistrate Judge

