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

ANDRE HURST, an individual doing  
business as THE PEGASUS GROUP,

Plaintiff,

v.

FEDERAL DEPOSIT INSURANCE  
CORPORATION, as receiver for  
UNITED COMMERCIAL BANK, INC.,

Defendant.

No. C 11-3424 CW

ORDER DISMISSING  
WITHOUT PREJUDICE  
PLAINTIFF'S  
COMPLAINT FOR  
FAILURE TO  
PROSECUTE

United States District Court  
For the Northern District of California

On November 21, 2011, the Court warned Plaintiff that failure to serve Defendant with a summons and the complaint, pursuant to Federal Rule of Civil Procedure 4(m), would result in dismissal of this action for failure to prosecute. The Court required Plaintiff to serve Defendant or submit a request for an extension of time for service, on or before December 1, 2011, or face dismissal of this action without prejudice for failure to prosecute. Plaintiff has provided no indication that he has served Defendant. Accordingly, this action is dismissed without prejudice for failure to prosecute.

IT IS SO ORDERED.

Dated: December 2, 2011

  
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CLAUDIA WILKEN  
United States District Judge