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United States District Court
For the Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SCOTTSDALE INSURANCE CO,

No. C 11-04398 DMR

Plaintiff(s),

**ORDER OF DISMISSAL WITHOUT
PREJUDICE FOR FAILURE TO
PROSECUTE**

v.

EDUARDO MENDOZA,

Defendant(s).

On August 22, 2012, a case management conference was scheduled before this court in the above-entitled case. The only remaining claim in this case is Abitsch & Abitsch, LLC's cross-claim against Cross-Defendant Litz. [See Docket No. 91.] Defendant Abitsch & Abitsch, LLC and Cross-Defendant Alan Litz did not appear. The court ordered those parties to show cause in writing why they did not appear at the case management conference and why this action should not be dismissed for their failure to appear. [Docket No. 94.] Abitsch & Abitsch, LLC did not respond to the Order to Show Cause. Therefore, the court dismisses Abitsch & Abitsch, LLC's cross-claim against Cross-Defendant Litz without prejudice for failure to prosecute. The Clerk is directed to close the case file.

IT IS SO ORDERED.

Dated: September 12, 2012

