

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RENE G. AMADOR,

Plaintiff,

No. C 13-1939 PJH

v.

**ORDER OF DISMISSAL**

TT INVESTMENT PROPERTIES, LLC,

Defendant.  
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Plaintiff Rene G. Amador having failed to appear at a court-ordered case management conference on August 6, 2013; and having been ordered on September 30, 2013 to show cause no later than October 7, 2013 why this action should not be dismissed for failure to prosecute; and having failed to comply with the order to show cause, the court finds that the case must be dismissed.

The court has considered the five factors set forth in Malone v. United States Postal Service, 833 F.2d 128, 130 (9th Cir. 1987), and finds that notwithstanding the public policy favoring the disposition of actions on their merits, the court's need to manage its docket and the public interest in the expeditious resolution of the litigation require dismissal of this action. In view of plaintiff's lack of response to this court's prior order(s), the court finds there is no appropriate less drastic sanction. Accordingly, this action is dismissed with prejudice pursuant to Fed. R. Civ. pro. 41(b) for plaintiff's failure to prosecute.

**IT IS SO ORDERED.**

Dated: October 25, 2013

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PHYLLIS J. HAMILTON  
United States District Judge