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United States District Court  
Northern District of California

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

**TAD GNATOWSKI,**  
**Plaintiff,**  
**vs.**  
**SUMMIT MANAGEMENT CO. LLC, et al.,**  
**Defendant(s).**


**Case No.: 13-CV-5318 YGR**  
**ORDER OF DISMISSAL FOR FAILURE TO PROSECUTE**

On December 27, 2013, the Court issued an Order regarding Plaintiff's Failure to File an Opposition to Defendants' Pending Motions. (Dkt. No. 29.) The pending motions were Defendants' Motion to Dismiss and Motion for Judgment on the Pleadings, the deadlines for which were originally December 9 and December 23, respectively. Civ. L.R. 7-3(a). This Court's December 27 Order allowed Plaintiff until January 13, 2014 to file his oppositions to the pending motions. Plaintiff was warned that failure to file oppositions to the Motions by that date would result in dismissal of this action for failure to prosecute. Plaintiff did not file any opposition.

Accordingly, pursuant to Federal Rule of Civil Procedure 41, this action is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute.

**IT IS SO ORDERED.**

**January 23, 2014**

  
**YVONNE GONZALEZ ROGERS**  
**UNITED STATES DISTRICT COURT JUDGE**