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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CESAR SANTACRUZ, JAVIER)
VALENCIA, et al.,)
)
Plaintiffs,)
)
v.)
)
FRENCH CONNECTION BAKERY, INC.,)
et al.,)
)
Defendants.)
_____)

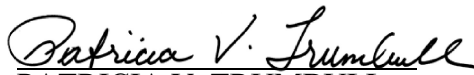
Case No.: C 07-1118 PVT
Case No.: C 08-0996 PVT

**ORDER STRIKING CLASS
ALLEGATIONS FROM COMPLAINT**

On June 26, 2008, this court entered a Further Case Management Conference Order, in which it set a deadline of November 4, 2008 for Plaintiffs to file any Motion for Class Notification. Because Plaintiffs failed to file any such motion, on November 20, 2008, the court issued an order to show cause by December 4, 2008, why the class allegations of the complaint should not be stricken for failure to comply with the Case Management Conference Order and failure to prosecute the class claims. Plaintiffs failed to file any response to the order to show cause. Therefore, based on the file herein,

IT IS HEREBY ORDERED that the class allegations of the complaint are stricken for failure to comply with the Case Management Conference Order and failure to prosecute the class claims. See e.g., *Bennett v. Nucor Corp.*, 2005 WL 1773948 (E.D. Ark. 2005).

Dated: 12/5/08


PATRICIA V. TRUMBULL
United States Magistrate Judge