

E-Filed 12/30/2010

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United States District Court
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

FORD MOTOR CREDIT COMPANY,
LLC,

No. C 07-03301 RS

**ORDER DISMISSING CASE
WITHOUT PREJUDICE**

Plaintiff,

v.

LEWIS FAMILY ENTERPRISES, INC., et
al.,

Defendants.

LEWIS FAMILY ENTERPRISES, INC., et
al.,

Counterclaimants,

v.

FORD MOTOR CREDIT COMPANY,
LLC, FORD MOTOR COMPANY,
CAPITOL EXPRESSWAY FORD, INC.,

Counterdefendants.

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On September 20, 2010, plaintiff's counsel informed the Court via e-mail that the instant matter had settled. The parties did not, however, file any formal notice of settlement with the Court. A jury trial is scheduled in the instant case in mid-January of 2011, and a pretrial conference, on January 6, 2011. The deadline to file any pretrial statement has passed, and the Court has received nothing from either party. On December 22, 2010, the Court lodged an inquiry with counsel for all parties as to the status of the case. No party responded. The Court has also attempted to contact plaintiff's counsel via telephone, also without any success. Accordingly, the instant matter shall be dismissed without prejudice for failure to prosecute.

IT IS SO ORDERED.

Dated: 12/30/2010



RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE