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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

ALFONSO GUZMAN,  
Plaintiff,  
v.  
SHERATON HOTEL,  
Defendant.

Case No.: C 09-3217 PSG  
**ORDER REASSIGNING CASE**

Plaintiff filed the complaint in this action on July 15, 2009. The deadline for service was 120 days from that date, November 12, 2009.<sup>1</sup> Thus, the time for service on Defendant has expired. Defendant has not been served. Additionally, the parties were required to file a case management conference statement on November 3, 2009 and to appear for a case management conference on November 10, 2009.<sup>2</sup> None of the parties did so. Also, by November 3, 2009, the parties were required either to file written consent to the jurisdiction of the magistrate judge or to request reassignment to a district judge.<sup>3</sup> None of the parties did so.

On February 8, 2010, the court ordered Plaintiff to show cause why the case should not be

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<sup>1</sup> See Fed. R. Civ. P. 4(m).

<sup>2</sup> See 10/26/09 Order Setting Initial Case Mgmt. Conf. and ADR Deadlines (Docket No. 2).

<sup>3</sup> See Civ. L.R. 73-1(a)(1).

1 dismissed for failure to prosecute. Plaintiff was ordered to respond in writing no later than  
2 February 27, 2011. Plaintiff filed no response.

3 IT IS HEREBY ORDERED that this case be reassigned to a district judge with a  
4 recommendation for dismissal for failure to prosecute pursuant to Fed. R. Civ. P. 41(b).

5 Dated: March 3, 2011

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PAUL S. GREWAL  
United States Magistrate Judge

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1 **Notice of this filing was automatically mailed to counsel via the court's Electronic Case Filing**  
2 **system.**

3 **A copy of this filing was mailed to:**

4 Alfonso Guzman  
5 2314 Poplar Ave.  
6 E. Palo Alto, CA 94303

7 Dated: March 4, 2011

8 */s/ Chambers Staff*  
9 Chambers of U.S. Magistrate Judge Paul S. Grewal

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