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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

PATRIA L. NOBLEZA, JEROME F.
HARBINSON, AND JOHN D. BURNS,

Plaintiffs,

v.

MACY’S, INC., MACY’S INC. PENSION
AND PROFIT SHARING
ADMINISTRATIVE COMMITTEE, THE
MACY’S INC. BOARD OF DIRECTORS,
KAREN M. HOGUET, DAVID W. CLARK,
STEPHEN J. O’BRYAN, ROBERT G.
ZIMMER, TERRY J. LUNDGREN, MEYER
FELDBERG, SARA LEVINSON, JOSEPH
NEUBAUER, JOSEPH A. PICHLER,
JOYCE M. ROCHE, KARL M. VON DER
HEYDEN, CRAIG E. WEATHERUP,
MARA C. WHITTINGTON, WILLIAM
STIRITZ, DOE DIRECTOR DEFENDANTS
NUMBER 1-25, DOE COMMITTEE
DEFENDANTS NUMBER 1-25,

Defendants.

Case No. C 10-02064 RMW

FINAL JUDGMENT

RONALD M. WHYTE, U.S.D.J.:

Defendants having moved to dismiss Plaintiff’s Amended Complaint pursuant to Federal
Rule of Civil Procedure 12(b)(6), and the matter having come before this Court, and this Court,


FINAL JUDGMENT
C 10-02064 RMW

1 having granted Defendants' motion to dismiss for the reasons stated in the Court's Memorandum
2 Opinion and Order of November 5, 2010, and having granted Plaintiff until November 29, 2010
3 to file an amended complaint, and Plaintiff having not filed an amended complaint on or before
4 November 29, 2010, it is

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6 **ORDERED, ADJUDGED AND DECREED THAT:**

7 Plaintiff's Amended Complaint is dismissed with prejudice and without costs.
8

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10 Dated: January 7, 2011


RONALD M. WHYTE
United States District Judge
San Jose, CA