

\*\*E-Filed 5/18/2011\*\*

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

BAY AREA SURGICAL GROUP, INC.,  
Plaintiff,  
v.  
BLUE CROSS OF CALIFORNIA,  
Defendant.

Case Number 5:11-cv-00280-JF (PSG)  
ORDER DISMISSING ACTION WITH  
PREJUDICE

On April 13, 2011, the Court dismissed the complaint in this action for failure to state a claim upon which relief may be granted. The Court granted Plaintiff twenty days within which to file an amended pleading. Plaintiff did not file an amended pleading within the time provided. Accordingly, the action is hereby DISMISSED WITH PREJUDICE.

DATED: 5/13/2011

  
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JEREMY FOGEL  
United States District Judge