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5 **UNITED STATES DISTRICT COURT**
6 **SOUTHERN DISTRICT OF CALIFORNIA**
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8 DEANNA MICHELLE MORY, et al.,

9 Plaintiffs,

10 vs.

11 CITY OF CHULA VISTA, et al.,

12 Defendants.

CASE NO. 07-CV-462 JLS (WVG)


**NOTICE OF HEARING ON SUA
SPONTE DISMISSAL**

13 This case is presently set to be tried to a jury beginning on July 11, 2011. (Doc. No. 233.) On
14 March 23, 2011, Plaintiff notified the Court that the parties had reached a tentative settlement, and that
15 a dismissal with prejudice would be filed once a settlement agreement was finalized and approved by
16 the Chula Vista City Council. (Doc. No. 234.)

17 A motions in limine hearing was scheduled for April 21, 2011. (Doc. No. 233.) Although
18 neither party filed motions in limine, the Court left the hearing on calendar in hopes that the parties
19 would appear to update the Court on the status of the tentative settlement. Neither party appeared.
20 Accordingly, the Court having been notified of a tentative settlement, the Court set this matter for
21 dismissal. Absent further contact with the Court by either party, this matter will be dismissed on May
22 31, 2011 at 9:00 a.m. pursuant to the Court's inherent authority to dismiss an action *sua sponte* for
23 want of prosecution. *See Link v. Wabash R.R. Co.*, 370 U.S. 626, 630–31 (1962); *Ash v. Cvektov*, 739
24 F.2d 493, 496 (9th Cir. 1984).

25 **IT IS SO ORDERED.**

26 DATED: April 22, 2011

27 
28 Honorable Janis L. Sammartino
United States District Judge