



On June 4, 2009, via Text Order, U.S. District Judge McDade vacated the final pretrial and jury trial settings due to the bankruptcy stay.

On November 4, 2009, the undersigned entered a Text Order directing the Plaintiffs to show cause why this case should not be dismissed because of the pending bankruptcy and set a deadline of December 1, 2009. Plaintiffs did not file any type of response. Again, on December 7, 2009, the undersigned entered a Text Order directing Plaintiffs to show cause why this case should not be dismissed because of the pending bankruptcy and directed a response by December 18, 2009. The Plaintiffs were directed that if no response was filed, the Court would presume no objection and the case would be dismissed. As of this date, Plaintiffs have failed to respond. The Court has no other option and recommends that Plaintiffs' Complaint be dismissed for want of prosecution.

Plaintiffs are advised that any objection to this Report and Recommendation must be filed in writing with the Clerk of the Court within fourteen days after being served with a copy of this Report and Recommendation. See 28 U.S.C. § 636(b)(1). Failure to file a timely objection will constitute a waiver of objections on appeal. Video Views, Inc.

v. Studio 21, Ltd., 797 F.2d 538, 539 (7<sup>th</sup> Cir. 1986). See Local Rule 72.2.

ENTER: December 21, 2009

FOR THE COURT:

*s/ Byron G. Cudmore*

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BYRON G. CUDMORE  
UNITED STATES MAGISTRATE JUDGE