

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FRANCISCO P. FERNANDES,
Plaintiff,

v.

CIVIL ACTION NO.
08-11498-MBB

ERIC HAVKIN and
ELITE MORTGAGES, INC.,
Defendants.

ORDER

September 30, 2011

BOWLER, U.S.M.J.

On August 5, 2011, this court ordered counsel for plaintiff Francisco P. Fernandes to submit a status report regarding the status of the remaining defendants Eric Havkin ("Havkin") and Elite Mortgages, Inc. ("Elite") on or before September 15, 2011. The order explained that, "Failure to comply with this court's order may result in dismissal of the remaining parties." To date, plaintiff's counsel has not filed a status report. In addition, there has been no activity on the part of plaintiff in this action since January 27, 2010, when plaintiff's counsel took part in a motion hearing.

Plaintiff's counsel is therefore **ORDERED** to file the status report on or before October 11, 2011. A failure to comply with

this order will likely result in a dismissal of this action against Havkin and Elite without prejudice.

/s/ Marianne B. Bowler
MARIANNE B. BOWLER
United States Magistrate Judge