

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

ANDREW ZIMMERMANN and KELLY)	
ZIMMERMANN, as Class)	
Representatives for the)	
certified ZIMMERMANN ACTION)	
CLASSES,)	
Plaintiffs)	
)	
v.)	C.A. NO. 09-cv-30193-MAP
)	
ARTHUR WOBIG and AVW, INC.,)	
Defendants)	

ORDER REGARDING
REMAINING DEFENDANTS

October 27, 2010

PONSOR, D.J.

On July 8, 2010, the court issued its Memorandum and Order allowing the Motion to Dismiss of defendants GTG Enterprises, Ltd. and Dominic Salzone (Dkt. No. 25.). The memorandum indicated that, at that time, four other Defendants remained in the case but that the court would not dismiss their claims sua sponte.

On July 27, 2010, the court allowed Plaintiffs' Motion to Dismiss two of the four remaining Defendants, Kurt Meyer and Von Meyer, Ltd. (Dkt. No. 26). At this time, therefore, only two Defendants remain, Arthur Wobig And AVW, Inc. No appearance has been filed on behalf of either of these Defendants and no responsive pleadings have been filed on their behalf. The lingering presence of these two

apparently unrepresented Defendants prevents the court from closing the case and permitting Plaintiffs to proceed with an appeal, if they desire.

Based on the foregoing, Plaintiffs' counsel is hereby ordered to report to the court, in writing, no later than November 15, 2010 as to how, if at all, they intend to proceed against Defendants Wobig and AVW. Absent such a report, the court will dismiss the claims against these two Defendants sua sponte and close this case.

It is So Ordered.

/s/ Michael A. Ponsor
MICHAEL A. PONSOR
U. S. District Judge