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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

SCOTT MUELLER,

Plaintiff(s),

v.

TOUCH LLC, et al.,

Defendant(s).

Case No. 2:17-cv-00999-APG-NJK

ORDER

Plaintiff is proceeding in this case *pro se*. On January 4, 2018, the Court issued an order that “Plaintiff is **CAUTIONED** that he is required to comply with all Court orders and applicable rules moving forward.” Docket No. 52 at 2 (citing *King v. Atiyeh*, 814 F.2d 565, 567 (9th Cir. 1987)). On January 17, 2018, the Court ordered “the parties to file a joint statement that includes a schedule for this case to proceed.” Docket No. 56. The Court has now received a filing from Defendants representing that Plaintiff did not participate in the preparation or filing of the joint statement, and would not return counsel’s communications. Docket No. 59 at 1-2.

Plaintiff has a duty to prosecute his claims. Fed. R. Civ. P. 41(b). As previously cautioned, Plaintiff also has a duty to comply with the Court’s orders. Docket No. 52 at 2. Plaintiff is hereby **ORDERED** to contact Defendants’ attorneys, by February 20, 2018, to confer on a schedule to move this case forward. A new joint statement signed by Plaintiff and defense counsel shall be filed by February 27, 2018. **FAILURE TO COMPLY WITH THIS ORDER MAY RESULT IN THE**

1 **DISMISSAL OF THIS CASE.** In the event Plaintiff fails to contact Defendants' attorneys by February  
2 20, 2018, Defendants shall file a notice so indicating.

3 IT IS SO ORDERED.

4 DATED: February 12, 2018

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7 NANCY J. KOPPE  
8 United States Magistrate Judge  
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