UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

SHENGDATECH LIQUIDATING TRUST,

Plaintiffs,

vs.

HANSEN, BARNETT & MAXWELL, P.C., *et al.,*

Defendants.

Case No.: 3:13-CV-00563-RCJ

ORDER AND NOTICE OF INTENT TO DISMISS

On October, 21, 2014, the Court entered Order (ECF No. 48) granting Plaintiff leave to amend the Complaint in part, two of the three claims. This case has remained open and inactive for 1,079 days or 2 years, 11 months, and 13 days. Accordingly,

IT IS HEREBY ORDERED that the Plaintiff shall file an Amended Complaint on or before 5:00 P.M., Friday, October 29, 2017.

IT IS FURTHER ORDERED that pursuant to Local Rule 41-1. If no action is taken in this case on or before Friday, October 29, 2017, the Court will dismiss the action for want of prosecution.

Local Rule 41-1 provides as follows:

"All civil actions that have been pending in this court for more than two hundred seventy 270 days without any proceeding of record having been taken may, after notice, be dismissed for want of prosecution by the court sua sponte or on the motion of an attorney or pro se party."

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Be advised the official record in this action reflects that this case has been pending for more than two hundred seventy 270 days without any proceeding having been taken during such period.

"Before dismissing the action, the district court is required to weigh several factors: (1) the public's interest in expeditious resolution of litigation; (2) the court's need to manage its docket; (3) the risk of prejudice to the defendants; (4) the public policy favoring disposition of cases on their merits; and (5) the availability of less drastic sanctions." Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995) (internal citations and quotations omitted). All five factors point in favor of dismissal.

If no action is taken in this case **on or before Friday, October 29, 2017**, the Court will dismiss this action for want of prosecution and the Clerk of the Court shall enter final judgment accordingly.

IT IS SO ORDERED this 4th day of October, 2017.

ROBERT C. JONES
United States District Judge