IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Hydrofarm, Inc., :

Plaintiff, :

v. : Case No. 2:08-cv-1207

: JUDGE MARBLEY

Garden Indoors, Inc. , et al., :

Defendants. :

ORDER

In an order issued on March 30, 2010, plaintiff was directed to show cause within 15 days why this action should not be dismissed, based on the fact that nothing had occurred in this case after plaintiff obtained an entry of default on April 1, 2009. In response to that order, plaintiff proffered an explanation for its inaction. In an order filed on April 20, 2010, the Magistrate Judge rejected that explanation and ordered plaintiff to submit, within ten days, a proposed schedule for those activities it needed to accomplish in order to obtain a judgment. Plaintiff was advised that the failure to do so would result in dismissal of the case.

The ten days has passed, and plaintiff has made no further filings. The Court assumes at this point that plaintiff has no interest in moving this case toward resolution. Therefore, this case is DISMISSED WITHOUT PREJUDICE for failure to prosecute.

s/Algenon L. Marbley
Algenon L. Marbley
United States District Judge