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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CHUNG KI CHOE,

Plaintiff,

v.

UNIBANK, *et al.*,

Defendants.

CASE NO. C17-0510-JCC

ORDER OF DISMISSAL

This matter comes before the Court on Plaintiff Chung Choe’s response (Dkt. No. 16) to the Court’s order to show cause (Dkt. No. 15). At the status conference hearing on June 20, 2017, the Court determined that dismissal of Choe’s claims was appropriate due to his failure to prosecute them. (*See* Dkt. No. 14; Dkt. No. 15 at 1.) The order to show cause directed Choe to explain whether the claims should be dismissed with prejudice (meaning they cannot be refiled) or without prejudice (meaning Choe would be able to file a new case raising those claims).

In response, Choe requests 30 days to amend his complaint to better define his claims. (Dkt. No. 16 at 2.) However, this Court has already in effect dismissed them. (*See* Dkt. Nos. 14, 15.) The only remaining question is whether Choe should be able to raise them in a new case. Choe does not address this issue. (*See* Dkt. No. 16 at 1-2.)

However, based on Choe’s response—indicating the desire to pursue his claims and the difficulty of attending a conference in person—the Court concludes that dismissal without

1 prejudice is again appropriate. This means that, although this specific case will be closed, Choe  
2 can open a new case and refile his claims, should he choose to do so. **If Choe opts to refile his**  
3 **claims, he is forewarned that diligent pursuit of his claims is essential.** This includes  
4 attendance—whether in person or telephonically—at any conferences and hearings. If Choe fails  
5 to pursue his claims for a third time, he should expect a dismissal with prejudice.

6 In sum, Choe’s complaint is DISMISSED without prejudice for failure to prosecute. The  
7 Clerk is directed to CLOSE this case.

8 DATED this 25th day of July, 2017.

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12 John C. Coughenour  
13 UNITED STATES DISTRICT JUDGE  
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