

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

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<b>KENDRICK HUNT,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>No. 05-2717-STA-tmp</b>
	)	
<b>TRI-STATE PLUMBING, HEATING &amp; AIR CONDITIONING CONTRACTORS, INC.; UNITED ASSOCIATION OF PLUMBERS, PIPEFITTERS and SPRINKLER FITTERS, PLUMBERS LOCAL UNION NO. 17; and UNITED ASSOCIATION OF JOURNEYMEN AND APPRENTICES OF THE PLUMBING AND PIPEFITTING INDUSTRY OF THE UNITED STATES AND CANADA,</b>	)	
<b>Defendants.</b>	)	

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**ORDER OF DISMISSAL**

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On November 15, 2010, the Court ordered Plaintiff Kendrick Hunt to show cause as to why his claims against Defendants should not be dismissed for failure to prosecute. Defendants filed a motion to dismiss pursuant to Federal Rule of Civil Procedure 37 (D.E. # 115) on October 29, 2010. According to Defendants, Plaintiff failed to appear for a properly noticed deposition for the second time. Therefore, Defendants seek dismissal as a sanction for Plaintiff's failure to prosecute his case. Under the Local Rules, Plaintiff's response to Defendants' motion to dismiss was due on or before November 15, 2010. On November 9, 2010, a previous order from the

Court was returned as undeliverable mail (D.E. # 116), even though the order was sent to Plaintiff's address of record.

The Court's Show Cause Order gave Plaintiff until December 1, 2010, to demonstrate why the Court should not grant Defendants' motion to dismiss. The Court warned Plaintiff that his failure to respond would result in the dismissal of his case. On November 30, 2010, the Court's Show Cause Order was returned as undeliverable mail (D.E. # 118). All parties and their attorneys are required to maintain current contact information with the Court. Plaintiff has failed to do so and failed to otherwise appear and prosecute his case, as evidenced by his failure to respond to Defendants' motion to compel (D.E. # 112) and attend two properly noticed depositions. Therefore, Defendants' motion to dismiss is **GRANTED**.

**IT IS SO ORDERED.**

**s/ S. Thomas Anderson**  
S. THOMAS ANDERSON  
UNITED STATES DISTRICT JUDGE

Date: December 2, 2010