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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ALI AL-AHMED,
Plaintiff,
v.
TWITTER, INC., et al.,
Defendants.

Case No. [21-cv-08017-EMC](#)

**ORDER DISMISSING PLAINTIFF’S
CASE WITH PREJUDICE**

Docket No. 72

United States District Court
Northern District of California

On January 3, 2023, the Court dismissed Plaintiff Al-Ahmed’s first amended complaint with leave to amend. *See* Docket No. 69. The Court stated a “Second Amended Complaint, if any, is due within thirty (30) days of the date of this order” (*i.e.*, February 2, 2023). *Id.* at 23.

On February 2, 2023, the parties stipulated, and the Court granted, an extension of the deadline for Defendant (“Twitter”) to file its Motion to Dismiss or otherwise respond to Plaintiff’s Second Amended Complaint to March 20, 2023; an extension of the deadline for Plaintiff to file his Opposition to Twitter’s Motion to Dismiss to April 19, 2023; and an extension of the deadline for Twitter to file its Reply in Support of Motion to Dismiss to May 3, 2023. *See* Docket Nos. 70, 71. Importantly, the Court did not extend the deadline for Plaintiff to file a Second Amended Complaint, and Plaintiff did not do so by the February 2, 2023 deadline.

On February 21, 2023, Twitter filed an Unopposed Request for Dismissal With Prejudice. *See* Docket No. 72. The attached declaration explained that on February 8, 2023, Twitter’s counsel asked Plaintiff’s counsel whether “Plaintiff would consent to Twitter requesting this Court enter judgment” “in light of Plaintiff not having filed a second amended complaint by the February 2, 2023 deadline [].” *See* Docket No. 72-1 ¶ 2. Plaintiff’s Counsel “responded that he

1 was ‘fine’ with Twitter’s proposal.” *Id.* On February 16, 2023, Twitter’s counsel sent Plaintiff’s
2 counsel a “draft of Twitter’s Request for Dismissal With Prejudice, as well as a draft of the
3 proposed order to be submitted therewith.” *Id.* ¶ 3. On February 17, 2023, Plaintiff’s counsel
4 “responded that he ‘takes no position’ as to Twitter’s request for dismissal with prejudice.” *Id.*

5 On March 3, 2023, the Court ordered Plaintiff to “show cause as to why this case should
6 not be dismissed for failure to timely file an amended complaint.” *See* Docket No. 73. The Court
7 explained that if Plaintiff failed to respond to the Court’s Order to Show Cause by March 13,
8 2023, “the Court shall grant Defendant Twitter Inc.’s motion to dismiss the case with prejudice
9 and close the file.” *Id.*

10 As of March 27, 2023, Plaintiff has yet to respond to the Court’s Order to Show Cause.
11 Accordingly, the Court **GRANTS** Twitter’s Unopposed Request for Dismissal With Prejudice.
12 The Clerk is instructed to enter judgment and close the case.

13 This order disposes of Docket No. 72.

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15 **IT IS SO ORDERED.**

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17 Dated: March 27, 2023

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20 EDWARD M. CHEN
21 United States District Judge