

ANTONIA A. SMITH,

Plaintiff,

v.

CVS CAREMARK CORPORATION,

Defendant.

Civil Action No. 12-1558 (RWR)

On October 15, 2012, *pro se* plaintiff and counsel for the defendant were ordered to confer pursuant to Rule 16.3(a) of the Local Civil Rules and Fed. R. Civ. P. 26(f) and to submit a joint Rule 16.3 Statement no later than five business days before November 30, 2012. Counsel for the defendant has filed a report stating that plaintiff has not responded to two voice mail messages placed to plaintiff's phone number of record or to a letter sent on November 6, 2012 to plaintiff's address of record in an effort to comply with the Court's October 15, 2012 Order.

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Accordingly, the Court will dismiss the complaint and this civil action. An Order accompanies this Memorandum Opinion.

SIGNED this 21st day of December, 2012.

_____/s/_____
RICHARD W. ROBERTS
United States District Judge