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8 Arbitrator

9 **IN THE MATTER OF THE ARBITRATION BETWEEN**

10 **Claimant,**  
11 **vs.**

12 **Respondents.**

13 **ORDER GRANTING MOTIONS AND**  
14 **DISMISSING ACTION**

15 **J.W. Case No. A179985-3**  
16 **OIA Arbitration No. 11277**

17 The telephonic hearing on Respondent's Motion to Dismiss and on Respondent's Motion  
18 To Have Statements Of Fact Deemed Admitted was held as noticed on October 30, 2012, at 9:00  
19 a.m. of counsel of record,  
20 appeared for Respondent. There was once again no appearance by Claimant. The Arbitrator was  
21 informed that the staff at Judicate West made at least three attempts today to reach Claimant by  
22 telephone, all to no avail.

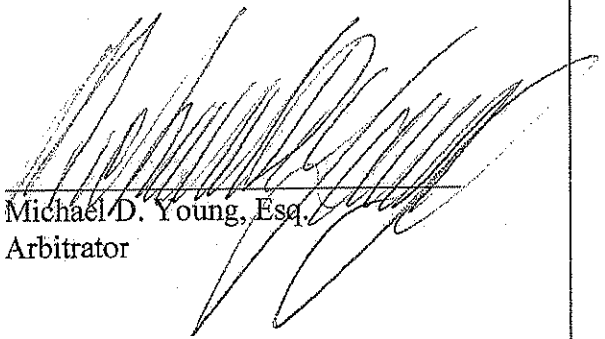
23 The Arbitrator hereby grants Respondent's Motion To Have Statements Of Fact Deemed  
24 Admitted. The Arbitrator further hereby grants Respondent's Motion to Dismiss. It is clear that  
25 Claimant has abandoned her action and has failed to prosecute, or otherwise participate in  
26 properly noticed discovery or properly noticed hearings. Claimant has also disregarded orders of  
27 this tribunal to participate in mandatory status conferences. Accordingly, this action is dismissed  
28 with prejudice. All subsequent hearing dates are hereby vacated.

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**Nothing in this arbitration decision prohibits or restricts the enrollee from discussing or reporting the underlying facts, results, terms and conditions of this decision to the Department of Managed Health Care.**

**IT IS SO ORDERED:**

Dated: October 30, 2012



Michael D. Young, Esq.  
Arbitrator