

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

PAUL DAGUE, individually and on
behalf of all other similarly situated,

Plaintiff,

v.

SPECTRUM BRANDS, INC., DAVID
A. JONES and RANDALL J. STEWARD,

Defendants.

ORDER

05-C-580-C

On October 3, 2005 plaintiff(s) filed this class action shareholder's lawsuit. On November 29, 2005, this court directed plaintiff's attorneys to fish or cut bait, and set a telephonic status conference for December 20, 2005. Plaintiff's attorneys failed to call in for the conference. Court staff tracked down local counsel who advised that lead counsel in Philadelphia were to have notified the court that they intended to transfer this case to another federal court.

Plaintiff's evident nonchalance toward his lawsuit in this court is duly noted. I am passing the file to the district judge with a recommendation that she dismiss it for failure to prosecute unless plaintiff actually advises the court by December 27, 2005 that he actually

intends to seek transfer and that he accomplish transfer by January 20, 2006.

Entered this 20th day of December, 2005.

BY THE COURT:

/s/

STEPHEN L. CROCKER

Magistrate Judge