

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 08-04937 ABC (RCx)	Date	January 28, 2009
Title	<u>L.A. Printex Indus., Inc. v. Clothing for Modern Times, Ltd.</u>		

Present: The Honorable	Audrey B. Collins, Chief Judge		
Daphne Alex	Not Present	N/A	
Deputy Clerk	Court Reporter / Recorder	Tape No.	
Attorneys Present for Plaintiff:	Attorneys Present for Defendant:		
None	None		

Proceedings: ORDER TO SHOW CAUSE (In Chambers)

On December 2, 2008, the Court dismissed all remaining defendants but gave plaintiff leave to file a first amended complaint against additional parties. (Docket No. 24.) On January 12, 2009, the Court issued an Order to Show Cause as to why this case should not be dismissed as no amended complaint had been filed. (Docket No. 25.) Plaintiff responded as follows:

On November 26, 2008, Plaintiff had submitted a Notice of Lodging, and the proposed amended Complaint. . . . This was submitted in connection with the stipulation on which the Court ruled on December 2, 2008. Plaintiff believed that the stipulation approved the lodged amended complaint, and was waiting for it to be issued by PACER.

(Response to OSC (Docket No. 26).) Plaintiff is incorrect. The Court has no idea where Plaintiff acquired the notion that the stipulation resulted in the filing of any lodged amended complaint. The only order from this Court stated that "Plaintiff L.A. Printex Industries, Inc. may file a First Amended Complaint." (Docket No. 24.) Lodging--what Plaintiff did--is not the same as filing--what Plaintiff has failed to do. See L.R. 5-1 "Lodging Documents." Moreover, one cannot file a complaint electronically. See L.R. 3-2 ("Complaints . . . shall be filed, in duplicate . . . in the traditional manner on paper rather than electronically."). Accordingly, to adequately respond to the Order to Show Cause, Plaintiff should file the first amended complaint within 10 days of this order.

IT IS SO ORDERED.

_____ : _____
Initials of
Preparer
DA