

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. 2:10-cv-02273-JHN-FMOx Date July 12, 2010

Title Gabriel R. Greinsberger v. Argent Mortgage Company, LLC et al.

Present: The Honorable JACQUELINE H. NGUYEN

Alicia Mamer

Not Reported

N/A

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not present

Not present

Proceedings: ORDER TO SHOW CAUSE RE FAILURE TO PROSECUTE (In Chambers)

On March 29, 2010, Plaintiff filed this action for violations of federal and state law in connection with a residential mortgage. On April 28, 2010, Defendants moved to dismiss the Complaint. Plaintiff thereafter filed a First Amended Complaint. As such, the Court denied Defendants' first motion to dismiss as moot.

On June 3, 2010, Defendants filed the instant Motion to Dismiss First Amended Complaint ("Motion") (Docket No. 9), set for hearing on July 26, 2010. Plaintiff filed no timely opposition. *See* Local Rule 7-9 (requiring that opposing papers be filed not later than 21 days before the hearing date). Court staff gave Plaintiff's counsel a courtesy telephone call on July 9, 2010 to inform Plaintiff's counsel that an opposition was past due and to inquire whether Plaintiff's counsel intended to file an opposition. Plaintiff's counsel never returned the call or filed an opposition.

Accordingly, the Court VACATES the hearing date of July 26, 2010 in Defendants' Motion. Plaintiff is ORDERED TO SHOW CAUSE, not later than July 19, 2010 at noon, as to why this case should not be dismissed for lack of prosecution. If Plaintiff intends to oppose the instant Motion, Plaintiff must file an opposition not later than July 19, 2010 at noon. If Plaintiff files an opposition, a Reply, if any, is due July 26, 2010. A hearing thereafter will be held on August 9, 2010 at 2:00 p.m.

Failure to respond to this Order or file an opposition to Defendants' Motion will result in sanctions and/or dismissal of Plaintiff's First Amended Complaint with prejudice.

IT IS SO ORDERED.

_____: N/A
Initials of Preparer AM