

**LINK:**

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

<b>Case No.</b>	CV 13-05169-BRO (VBKx)	<b>Date</b>	August 23, 2013
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<b>Title</b>	The Bank of New York Mellon v. Christine Franz et al
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Present: The Honorable

**BEVERLY REID O'CONNELL**

Renee Fisher

Myra Ponce

N/A

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

None

None

**Proceedings: (IN CHAMBERS)****ORDER TO SHOW CAUSE RE: DISMISSAL FOR LACK OF PROSECUTION**

Plaintiff(s) are ORDERED to show cause why this case should not be dismissed, for lack of prosecution. *Link v. Wabash R. Co.*, 370 U.S. 626 (1962) (court has inherent power to dismiss for lack of prosecution on its own motion). Defendant(s) have failed to answer or present other defenses pursuant to Federal Rules of Civil Procedure Section 81(c)(2).

The instant case was removed to the Federal District Court on July 17, 2013. A response to the complaint within 21 days after receiving a copy of the initial pleading, 21 days after being served with the summons, or 7 days after the notice of removal is filed. See Rule 81(c)(2) of the Federal Rules of Civil Procedure.

Plaintiff can satisfy this order to show cause by one of the following:

- 1) An answer/response by the following defendants: Steven Franz and Christine Franz; or
- 2) Plaintiff can satisfy this order by showing that service was effectuated on the Defendant and by seeking entry of default pursuant to Rule 55a of the Federal Rules of Civil Procedure, or by dismissing the complaint as to these defendant(s).

Plaintiff(s) must respond to this order within 20 days. Failure to respond to this OSC will be deemed consent to the dismissal of the action.