

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 14-5743 FMO	Date	October 28, 2014
Title	In re: GGW Brands, LLC, et al.		

Present: The Honorable Fernando M. Olguin, United States District Judge		
Vanessa Figueroa	None	None
Deputy Clerk	Court Reporter / Recorder	Tape No.
Attorney Present for Plaintiff(s):		Attorney Present for Defendant(s):
None		None

Proceedings: (In Chambers) Order to Show Cause Re: Dismissal for Lack of Prosecution and Duplicative Bankruptcy Matter

On July 23, 2014, this bankruptcy action was appealed to this court pursuant to 28 U.S.C. § 158(a) or § 158(b). (See, generally, Notice of Appeal). The bankruptcy order being appealed is the Order Holding Joseph Francis ("Francis") and Perfect Science Labs, LLC ("Perfect Science Labs") in Contempt of Court, of July 18, 2014. (See *id.* at 1). On August 8, 2014, the clerk issued a notice setting August 22, 2014 as the deadline for appellants' opening brief. Francis and Perfect Science Labs failed to file an opening brief, even though it was due more than two months ago.

In addition, the bankruptcy court issued a Report and Recommendation ("R&R") relating to the civil contempt findings. (See Report and Recommendation to District Court for Withdrawal of Reference and for Determination of Possible Incarceration for Civil Contempt, filed Aug. 4, 2014, at 24) (discussing civil contempt issues). The R&R was assigned a new case number, In re: GGW Brands, LLC, et al., Case No. CV 14-6108.

Based on the foregoing, it appears that appellants have failed to prosecute this action, and that the issues in Case No. CV 14-6108 may be duplicative of the issues in this action.

Accordingly, IT IS ORDERED that:

1. No later than **November 3, 2014**, appellants shall show cause in writing: (1) why this action should not be dismissed for lack of prosecution; or (2) because it is duplicative of Case No. CV 14-6108. Appellees may submit a response in the same time period.
2. Appellants' failure to file a response to the order to show cause by the deadline set forth above shall be deemed consent to the dismissal of this action.
3. A copy of all papers filed with the court shall be delivered to the drop box outside chambers at Suite 520, Spring Street Courthouse, 312 North Spring Street, **no later than 12:00 noon the following business day**. All chambers copies shall comply fully with the document

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formatting requirements of Local Rule 11-3, including the “backing” requirements of Local Rule 11-3.5. Counsel may be subject to sanctions for failure to deliver a mandatory chambers copy in full compliance with this Order and Local Rule 11-3.

Initials of Preparer 00 : 00
vdr