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8 **United States District Court**
9 **Central District of California**
10 **Western Division**
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12 SHIPPING AND TRANSIT LLC,

13 Plaintiff,

14 v.

15 HEALTHWAREHOUSE.COM, INC.,

16 Defendant.

CV 16-03977 TJH (PLAx)

Order To
Show Cause
re: Dismissal

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18 The Court has reviewed Plaintiff's complaint.

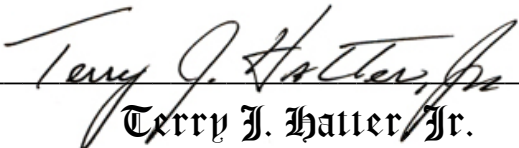
19 In the absence of a waiver or, where the Defendant has not answered, the Court
20 may raise, *sua sponte*, the issue of whether venue is proper in this judicial district by
21 ordering Plaintiff to show cause why this action should not be dismissed. *See Costlow*
22 *v. Weeks*, 790 F.2d 1486, 1488 (9th Cir. 1986). Here, it is not clear from the
23 complaint that the Central District of California is the proper venue for this action under
24 either 28 U.S.C. §§ 1391 or 1400(b). Accordingly,

25 **It is Ordered** that Plaintiff is Ordered to Show Cause, if it has any, why this
26 action should not be dismissed, *sua sponte*, for improper venue. Plaintiff shall file a
27 written response to this Order to Show Cause by July 11, 2016. Defendant may file a
28 brief in opposition to Plaintiff's written response no later than seven days after

1 Plaintiff's response is filed. Plaintiff may file a reply brief no later than seven days
2 after any Defendant's opposition is filed. The matter will then stand submitted.

3 **It is further Ordered** that Plaintiff shall serve Defendant a copy of this Order
4 by July 11, 2016. Upon completion of service, Plaintiff shall electronically file a proof
5 of service.

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7 Date: June 21, 2016

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9 **Terry J. Hatter, Jr.**
10 **Senior United States District Judge**