

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**O**

**United States District Court  
Central District of California**

CONSTRUCTION LABORERS TRUST  
FUNDS FOR SOUTHERN  
CALIFORNIA ADMINISTRATIVE  
COMPANY, a Delaware limited liability  
company,  
Plaintiff,  
v.  
PRECISION MASONRY BUILDERS  
INC., a California corporation,  
Defendants.

Case No. 2:16-cv-04358-ODW(AFM)

**ORDER TO SHOW CAUSE WHY  
THIS CASE SHOULD NOT BE  
DISMISSED FOR LACK OF  
PROSECUTION**

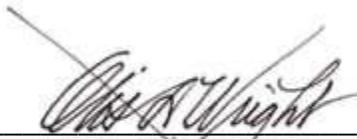
On June 17, 2016, Plaintiff filed a complaint alleging that Defendant Precision Masonry Builders failed to make the requisite retirement benefit contributions under the governing labor contract. (Compl. ¶1, ECF No. 1.) Despite being properly served, Defendant has not filed an answer. (ECF No. 9.) On August 1, 2016, the Clerk of Court entered default against Defendant Precision Masonry Builders at

1 Plaintiff's request. (ECF No. 17.) However, Plaintiff has not filed a motion for  
2 default judgment with the Court.

3 Accordingly, the Court **ORDERS** Plaintiff to **SHOW CAUSE**, in writing, no  
4 later than October 31, 2016, why the Court should not dismiss this action without  
5 prejudice for lack of prosecution. No hearing will be held. Failure to file a timely  
6 written response to this Order will result in the dismissal of the action without  
7 prejudice without further warning from the Court.

8  
9 **IT IS SO ORDERED.**

10 October 17, 2016

11  
12 

13 **OTIS D. WRIGHT, II**  
14 **UNITED STATES DISTRICT JUDGE**