

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

ARTHUR KAYE IRA FCC AS
CUSTODIAN DTD 6-8-00, et al.,

Plaintiffs,

v.

IMMUNOCELLULAR THERAPEUTICS,
LTD., et al.,

Defendants.

NO. CV 17-3250 FMO (SKx)

ORDER TO SHOW CAUSE

On May 1, 2017, plaintiffs filed a complaint for violations of federal securities laws. (See Dkt. 1, "Complaint"). Plaintiffs filed a First and Second Amended Complaint ("SAC").¹ (See Dkts. 43 & 53). On January 8, 2018, pro se defendant Brian Nichols ("Nichols" or "defendant") filed an Answer to the SAC. (See Dkt. 82, Defendant Brian Nichols' Answer and Affirmative Defenses to Plaintiff's Second Amended Complaint). Over the last few months, documents sent to defendant have been returned by the postal service as undeliverable. (See Dkt. 97; see also Dkts. 102, 103, 110 & 111). Pursuant to Local Rule 41-6, Nichols has an obligation to keep the court advised of a current address throughout the duration of his lawsuit. See L.R. 41-6 ("A party proceeding pro se shall keep the Court and opposing parties apprised of such party's current

¹ Plaintiffs filed the operative Third Amended Complaint on June 29, 2018. (See Dkt. 105, "TAC").

1 address and telephone number[.]”). **Nichols is advised that failure to timely comply with this**
2 **Order or with its continuing obligation to keep the court apprised of a current mailing**
3 **address, may result in the entry of default against him.** See L.R. 83-2.4; see also L.R. 41-6.

4 Based on the foregoing, IT IS ORDERED THAT:

5 1. Defendant shall file with the court a Notice of Change of Address no later than
6 **August 29, 2018.**

7 2. In the event Nichols does not file a Notice of Change of Address, plaintiffs shall file
8 a motion for default judgment against Nichols no later than **September 5, 2018.** Failure to file a
9 motion for default may result in the action against Nichols being dismissed for failure to prosecute
10 and/or failure to comply with a court order. See Fed. R. Civ. P. 41(b); Link v. Wabash R. Co., 370
11 U.S. 626, 629-30, 82 S.Ct. 1386, 1388 (1962).

12 Dated this 15th day of August, 2018.

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14 /s/

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16 Fernando M. Olguin
17 United States Magistrate Judge
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