

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

ANNA RENAUD, etc.,
Plaintiff,

v.

WAL-MART STORES, INC.,
etc., et al.,
Defendants.

CV 17-8593 DSF (PLAx)

ORDER TO SHOW CAUSE
RE DISMISSAL

On January 10, 2019, Defendant Medline Industries, Inc. filed its Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 41(b) and Local Rules 41-1 and 41-5. Most of the alleged grounds for dismissal were not valid. Plaintiff was not required to (1) respond to her attorney's motion to withdraw as her counsel, (2) designate experts, or (3) provide proposed jury instructions.¹ However, Plaintiff did not oppose the motion.

In addition, Plaintiff has failed to submit any of the required pretrial documents, including a memorandum of contentions and witness list, or to cooperate in the filing of a joint exhibit list and proposed pretrial conference order. Plaintiff has also failed to oppose any of Defendants' motions in limine. The Court deems the lack of opposition to be consent to the motions. Local Rule 7-

¹ Plaintiff could have decided to proceed with a bench trial.


12; see also Ghazali v. Moran, 46 F.3d 52, 53-54 (9th Cir. 1995); Brydges v. Lewis, 18 F.3d 651, 652 (9th Cir. 1994). Those motions are therefore granted.

Plaintiff is ordered to show cause in writing no later than February 22, 2019 why this action should not be dismissed for failure to prosecute, failure to comply with this Court's orders, including the order to attend mediation and pretrial orders, and failure to respond to discovery.

Failure to respond in writing or attend the Pretrial Conference will result in dismissal with prejudice.

IT IS SO ORDERED.

Date: February 15, 2019



Dale S. Fischer
United States District Judge