

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 18-9747 FMO (SSx)	Date	July 16, 2021
Title	Hera Print, Inc. v. Charlotte Russe, Inc.		

Present: The Honorable	Fernando M. Olguin, United States District Judge		
Vanessa Figueroa		None Present	
Deputy Clerk		Court Reporter / Recorder	
Attorneys Present for Plaintiff(s):		Attorneys Present for Defendant(s):	
None Present		None Present	

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

Plaintiff Hera Print, Inc. ("plaintiff") did not comply with the Court's Order of June 7, 2021 (Dkt. 30), because it did not file a status report re: defendant Charlotte Russe, Inc.'s ("defendant") bankruptcy filing by June 10, 2021. (See, generally, Dkt.). A review of the docket in defendant's bankruptcy case (Case No. 19-10210 LSS (Bankr. D. Del.))¹ indicates that defendant is currently in Chapter 11 liquidation. Based on the foregoing, IT IS ORDERED that:

1. No later than **July 23, 2021**, plaintiff shall file a status report containing responses to the following matters: (a) whether plaintiff filed a proof of claim in defendant's bankruptcy case; whether the proof of claim was timely filed; and, if applicable, whether objections were filed and/or sustained to plaintiff's proof of claim; (b) whether plaintiff has already commenced an adversary proceeding in defendant's bankruptcy case. If plaintiff has not yet commenced an adversary proceeding in defendant's bankruptcy case, then plaintiff shall file a motion for relief from stay to prosecute this action in the bankruptcy court and inform the court of this filing no later than **July 30, 2021**.

2. Failure to timely comply with the deadlines set forth in this order shall result in this action being dismissed without prejudice for failure to prosecute and/or failure to comply with a court order. See Fed. R. Civ. P. 41(b); Link v. Wabash R.R. Co., 370 U.S. 626, 629-30, 82 S.Ct. 1386, 1388 (1962).

Initials of Preparer

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¹ Bankruptcy docket ("BK Dkt.") citations reference docket filings in this case. While defendant's Notice of Defendant's Bankruptcy Case Filing (Dkt. 20) reflects Case No. 19-10214 LSS, it is an associated case jointly administered under lead Case No. 19-10210 LSS. (See BK Dkt. 75, Bankruptcy Court's Order of February 5, 2019, at ¶ 6) ("An order has been entered in this case directing the joint administration of the chapter 11 cases of Charlotte Russe Holding, Inc., and all subsequently filed chapter 11 cases of such debtors' affiliates. The docket in the chapter 11 case of Charlotte Russe Holding, Inc., Case No. 19-10210 should be consulted for all matters affecting this case.")