

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
CIVIL MINUTES - GENERAL**

**CASE NO.: CV 10-0631-ABC (PJW)**

**Date: May 22, 2012**

**TITLE: *David Upton v. Arnold Schwarzenegger, et al.***

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**PRESENT:**

**HON. PATRICK J. WALSH, MAGISTRATE JUDGE**

**Alma Felix (Relief CRD)**  
**Deputy Clerk**

**N/A**  
**Court Reporter**

**ATTORNEYS PRESENT FOR PLAINTIFF:**

**ATTORNEYS PRESENT FOR DEFENDANTS:**

**None**

**None**

**PROCEEDINGS: Order to Show Cause Re Plaintiff’s Failure to File an Opposition to Defendants’ Motion to Dismiss (In Chambers)**

On March 15, 2012, Defendants Brown, Cates, O’Neil, and Palous filed a motion to dismiss the Third Amended Complaint (“TAC”), which has been joined by Defendant Merrick. (Docket Nos. 72, 94.) The Court gave Plaintiff until April 20, 2012, to file his opposition. (Docket No. 76.) On April 5, 2012, the Court denied Plaintiff’s request for leave to file a Fourth Amended Complaint and gave him until May 18, 2012 to file his opposition. (Docket No. 78.) As of the date of this Order, Plaintiff has not filed an opposition. **Plaintiff now has 21 days, until June 12, 2012, to file his opposition to Defendants’ motion to dismiss the Third Amended Complaint.** Plaintiff is warned that this is the last opportunity that he will be given to file an opposition.

Plaintiff is warned that failure to comply with this Order may result in dismissal of his case under Federal Rule of Civil Procedure 41(b).

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**UNITED STATES DISTRICT COURT  
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cc:

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