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8   **UNITED STATES DISTRICT COURT**

9   **CENTRAL DISTRICT OF CALIFORNIA**

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11   GARY ROYBAL,   )   NO. ED CV 10-1829 FMO
)
12   Plaintiff,   )
)
13   v.   )   **ORDER TO SHOW CAUSE**
)
14   MICHAEL J. ASTRUE,   )
     COMMISSIONER OF THE SOCIAL   )
15   SECURITY ADMINISTRATION,   )
)
16   Defendant.   )
)
17   ———————————————————————   )

18   Pursuant to the court's Case Management Order, filed on December 8, 2010 ("Court's

19   Order of December 8, 2010"), the parties' Joint Stipulation was due on or about August 11, 2011.

20   It appears from the record that the Joint Stipulation has not been filed as required by the Court's

21   Order of December 8, 2010.

22   Accordingly, IT IS HEREBY ORDERED THAT, on or before **November 2, 2011,** plaintiff

23   shall show cause, if any there be, why this action should not be dismissed for plaintiff's failure to

24   prosecute this action. **Plaintiff shall attempt to show such cause in writing by filing a**

25   **declaration signed under penalty of perjury.[1] In particular, plaintiff's declaration must**

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28   [1] Pursuant to Rule 78 of the Federal Rules of Civil Procedure and Local Rule 7-15, oral
     argument on this Order to Show Cause will not be heard unless ordered by the court. Upon the
     filing of a Response, the Order to Show Cause will stand submitted.

1   **address why the Joint Stipulation has not been filed, even though it was due more than two**

2   **months ago. If plaintiff contends that defendant is somehow responsible for the failure to**

3   **file the Joint Stipulation, plaintiff shall explain why he has not filed a motion for sanctions**

4   **or otherwise brought defendant's failure to comply with the Court's Order of December 8,**

5   **2010, to the attention of the court. Failure timely to file such a declaration or to show cause**

6   **as ordered will result in dismissal of this action for failure to prosecute.**

7   **Filing of the Joint Stipulation shall be a satisfactory response to the Order to Show**

8   **Cause. However, absent exceptional circumstances, no extensions will be granted for the**

9   **filing of the Joint Stipulation**.

10   **IT IS SO ORDERED.**

11   Dated this 13th day of October, 2011.

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13   /s/ _____

                                           Fernando M. Olguin

14   United States Magistrate Judge

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