

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

CIVIL MINUTES – GENERAL

Case No.	CV 16-01001-BRO (DTBx)	Date	July 18, 2016
Title	CLARK JAMES CAVANAUGH ET AL. V. CITY OF FONTANA ET AL.		

Present: The Honorable **BEVERLY REID O’CONNELL, United States District Judge**

Cheryl Wynn

Not Present

N/A

Relief Deputy Clerk

Court Reporter

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

Proceedings: (IN CHAMBERS)

**ORDER TO SHOW CAUSE RE: FAILURE TO
OPPOSE DEFENDANTS’ MOTION TO DISMISS**

Pending before the Court is Defendants City of Fontana and Efrain Gonzalez’s (collectively, “Defendants”) Motion to Dismiss. (Dkt. No. 10.) Defendants filed their Motion on May 23, 2016, noticing a hearing date of June 20, 2016. (*Id.*) On June 6, 2016, the Court filed an Order to Show Cause regarding Plaintiffs’ failure to oppose Defendants’ Motion to Dismiss. (Dkt. No. 13.) On June 13, 2016, the Court granted Defendants’ Motion and dismissed the instant action without prejudice. (*See* Dkt. No. 15.) On June 14, 2016, Plaintiff Clark Cavanaugh filed a Request for Continuance to Retain Counsel. (*See* Dkt. Nos. 16, 17.) On June 22, 2016, the Court re-opened the instant action and scheduled the hearing of Defendants’ Motion for August 1, 2016, ordering Plaintiffs to file their opposition to the Motion no later than July 11, 2016. (Dkt. No. 20.) As of today’s date, however, Plaintiffs have not filed any opposition. Pursuant to Local Rule 7-12, the failure to file an opposition “may be deemed consent to the granting . . . of the motion.” *See* C.D. Cal. L.R. 7-12.

Therefore, Plaintiffs are **ORDERED TO SHOW CAUSE** as to why the Court should not grant Defendants’ Motion to Dismiss. **Both (1) Plaintiffs’ response to this Order and (2) Plaintiffs’ opposition to the Motion to Dismiss, if any, shall be filed by no later than Monday, July 25, 2016, at 4:00 p.m.** An appropriate response will include reasons demonstrating good cause for Plaintiffs’ failure to timely oppose

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Defendants’ Motion. If Plaintiffs respond accordingly, Defendants’ Reply is due by no later than Monday, August 1, 2016, at 4:00 p.m.

IT IS SO ORDERED.

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Initials of Preparer

cw
