

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. SACV 10-01633 - JVS (RZx) Date July 18, 2012
Consolidated with SACV 11-200-JVS(RZx)

Title Wells Fargo Bank, N.A., etc. v. Kirk Heintz, et al.

Present: The James V. Selna
Honorable

Karla J. Tunis

Not Present

Deputy Clerk

Court Reporter

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

Proceedings: (In Chambers) **ORDER TO SHOW CAUSE RE DISMISSAL
FOR LACK OF PROSECUTION**

The Court, on its own motion, hereby ORDERS Cross Complainant, Golden West Capital, to show cause in writing no later than July 28, 2012, why this action should not be dismissed for lack of prosecution. As an alternative to a written response by Cross Complainant, the Court will consider the filing of one of the following, as an appropriate response to this Order to Show Cause, on or before the above date:

Answer by the cross-defendant(s) or cross complainant's request for entry of default.

Absent a showing of good cause, an action shall be dismissed if the summons and complaint have not been served upon all defendants within 120 days after the filing of the complaint. Fed. R. Civ. P. 4(m) The Court may dismiss the action prior to the expiration of such time, however, if plaintiff(s) has/have not diligently prosecuted the action.

It is the plaintiff's responsibility to respond promptly to all orders and to prosecute the action diligently, including filing proofs of service and stipulations extending time under Rule 55 remedies promptly upon default of any defendant. All stipulations affecting the progress of the case must be approved by the Court. Local Rule 7-1

The Court hereby VACATES the Scheduling Conference set for July 23, 2012 pending the outcome of the Order to Show Cause.

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Initials of Preparer kjt