
UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 8:16-cv-892-JLS-KESx

Date: April 13, 2017

Title: Bank of America, N.A. v. Luberski, Inc., et al.

Present: **Honorable JOSEPHINE L. STATON, UNITED STATES DISTRICT JUDGE**

Terry Guerrero
Deputy Clerk

N/A
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFF: ATTORNEYS PRESENT FOR DEFENDANT:

Not Present

Not Present

PROCEEDINGS: (IN CHAMBERS) (1) ORDER TO SHOW CAUSE WHY CASE SHOULD NOT BE DISMISSED FOR LACK OF PROSECUTION; AND (2) ORDER VACATING FINAL PRETRIAL CONFERENCE SET FOR FRIDAY, APRIL 21, 2017 AT 1:31 P.M.

On October 27, 2016, the Clerk entered default against Defendant Shehu Tijani Alimi. (Default by Clerk, Doc. 24.) On February 2, 2017, the Court granted Plaintiff Bank of America, N.A.’s motion to interplead and dismiss. (Dismissal Order, Doc. 26.) The Court received Bank of America’s deposit of the disputed funds on March 3, 2017 whereupon Bank of America was dismissed from the action. (*See id.* at 5 (“Upon deposit of the Disputed Funds . . . Bank of America is DISMISSED from the action.”).) The only claims remaining in this action are Defendant Luberski, Inc.’s crossclaims against Alimi. (*See* Crossclaim, Doc. 12.) Luberski has not yet moved for default judgment against Alimi.

Counsel for Luberski is hereby ORDERED to show cause in writing no later than **April 18, 2017**, why this case should not be dismissed pursuant to Fed. R. Civ. P. 41, for lack of prosecution. No oral argument on this matter will be heard unless ordered by the Court. The Order to Show Cause will stand submitted upon the filing of an appropriate response. Because the Court finds a final pretrial conference unnecessary at this time, the Court VACATES the final pretrial conference scheduled for Friday, April 21, 2017 at 1:31 p.m.

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Counsel is advised that the Court will consider the filing of a regularly noticed motion for default judgment on or before the date upon which the response is due, as a satisfactory response to the Order to Show Cause.

Initials of Preparer: tg