

1 Plaintiff's opening brief was due January 11, 2010. However, nearly three months have passed
2 since the due date, but no brief has been filed. Further, no request for an extension of time has
3 been filed.

4 A failure to comply with an order of the Court may result in sanctions, including
5 dismissal, pursuant to the inherent power of the Court or the Federal Rules of Civil Procedure.
6 Fed.R.Civ.P. 41(b), 11; Local Rule 110; Chambers v. NASCO, Inc., 501 U.S. 31, 42-43 (1991).

7 Accordingly, it is HEREBY ORDERED that:

- 8 1. Within fifteen (15) days of the date of service of this order, Plaintiff shall show
9 cause in writing why this action should not be dismissed for failure to file a timely
10 opening brief pursuant to the Court's scheduling order and for failure to obey the
11 Court's order; Plaintiff shall show cause in writing because the Court has
12 determined that no hearing is necessary; and
- 13 2. Plaintiff is informed that the failure to file a timely response to this order will
14 result in dismissal of this action.

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16 IT IS SO ORDERED.

17 Dated: March 31, 2010

18 /s/ Jennifer L. Thurston
19 UNITED STATES MAGISTRATE JUDGE
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