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IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

MIGUEL HERRERA,)	1:09cv01803 AWI DLB
)	
)	
Plaintiff,)	ORDER TO SHOW CAUSE WHY
)	ACTION SHOULD NOT BE DISMISSED
vs.)	
)	
CITIMORTGAGE, INC., et al.,)	
)	
Defendants.)	

Plaintiff Miguel Herrera filed the instant action in Kern County Superior Court on June 19, 2009, against Defendants CitiMortgage, Inc. and First NLC Financial, LLC. Defendant CitiMortgage Inc., removed the action to this Court on October 13, 2009.

On October 14, 2009, the Court issued civil new case documents. The civil new case documents included an Order Setting Mandatory Scheduling Conference for December 16, 2009. On November 23, 2009, pursuant to Plaintiff's notice of voluntary dismissal, Defendant CitiMortgage, Inc., was dismissed from this action. There is no proof of service indicating that Defendant First NLC Financial, LLC, was properly served and it has not made any appearance in this action.

On December 16, 2009, Plaintiff failed to appear for the Mandatory Scheduling Conference. Plaintiff's counsel also failed to file a status report jointly with the remaining Defendant.

