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

MIGUEL HERRERA,	)	1:09cv01803 AWI DLB
	)	
	)	
	)	ORDER DISCHARGING ORDER
Plaintiff,	)	TO SHOW CAUSE
	)	(Document 10)
vs.	)	
	)	
CITIMORTGAGE, INC., et al.,	)	
	)	
	)	
Defendants.	)	

On December 18, 2009, the Court issued an order directing Plaintiff Miguel Herrera’s counsel to appear in person and show cause why the action should not be dismissed for failure to properly serve the complaint, appear at the mandatory scheduling conference and prepare a joint scheduling report. The matter was heard on December 31, 2009, before the Honorable Dennis L. Beck, United States Magistrate Judge. Plaintiff’s counsel, John Setlich, appeared at the hearing.

At the hearing, Plaintiff’s counsel indicated that this action would be voluntarily dismissed as to the remaining defendant, First NLC Financial, LLC. Based on counsel’s response, the order to show cause is DISCHARGED. Plaintiff shall file a notice of voluntary dismissal as to the remaining defendant within fourteen (14) days from the date of this Order.

IT IS SO ORDERED.

**Dated: December 31, 2009**

**/s/ Dennis L. Beck**  
UNITED STATES MAGISTRATE JUDGE