

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

LOL FINANCE CO., a
Minnesota Corporation,

Plaintiff,

v.

HELEN MEBANE,
Defendant.

CASE NO. 1:10-cv-00078 LJO JLT

ORDER TO SHOW CAUSE WHY THIS
ACTION SHOULD NOT BE DISMISSED

ORDER VACATING SCHEDULING
CONFERENCE SET FOR APRIL 15, 2010
(Doc. 7)

This action was filed on January 14, 2010. (Doc. 1). That same day a summons was issued requiring Defendant to answer the complaint within 21 days of service of the complaint. (Doc. 5). Service was affected on Defendant on January 20, 2010. (Doc. 8). On January 19, 2010, the Court reset a scheduling conference in this matter for April 15, 2010. (Doc. 7). Defendant has not answered the complaint and the parties have not filed a joint status report. Plaintiff's counsel has acknowledged the failure to file a status report but indicates that proceeding further in this matter is premature because Defendant's husband has initiated bankruptcy proceedings.

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff will be granted 60 days from service of this order to SHOW CAUSE why this action should not be dismissed for failure to prosecute;

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2. The Initial Scheduling Conference set for April 15, 2010, is VACATED; and
3. Plaintiff is admonished that failure to respond to the Order to Show Cause in a timely fashion will result in a recommendation by the Magistrate Judge that this action be dismissed.

IT IS SO ORDERED.

Dated: April 14, 2010

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE