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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

BENICIA FUENTES as Guardian ad Litem  
of minors, L.G. and J.G. as successors  
in interest to Decedent,

CASE NO. 1:10-cv-01628-LJO-SMS

Plaintiff,

ORDER TO SHOW CAUSE WHY CASE  
SHOULD NOT BE DISMISSED FOR  
FAILURE TO PROSECUTE

v.

THE CITY OF FRESNO, et al.,

Date: December 21, 2011  
Time: 10:00 a.m.  
Courtroom 1

Defendants.

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At the November 16, 2011 hearing on their second motion to withdraw as counsel, attorneys Yan Shrayberman and Mario DiSalvo, counsel for Plaintiff Benicia Fuentes, Guardian ad Litem of minors, L.G. and J.G., represented that, as a result of their inability to locate Fuentes, they are unable to proceed in their representation of the minor Plaintiffs. Because permitting Shrayberman and DiSalvo to withdraw would impermissibly leave the minor Plaintiffs without legal representation, the Court was constrained to deny the withdrawal motion. Nonetheless, the Court acknowledges counsels' representations that because of their inability to locate Fuentes, they are unable to prosecute this case.

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1           Accordingly, this Court HEREBY ORDERS that counsel appear at a hearing set for  
2 10:00 a.m., December 21, 2011, before the Honorable Sandra M. Snyder, United States  
3 Magistrate Judge prepared to show cause why this case should not be dismissed without  
4 prejudice for failure to prosecute.

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8 IT IS SO ORDERED.

9 **Dated:** November 16, 2011

/s/ Sandra M. Snyder  
UNITED STATES MAGISTRATE JUDGE