

1 or statement of non-opposition.

2 3. If responding to Defendants' 12(b) motion to dismiss, Plaintiff may not simply rely on
3 allegations in the complaint. Instead, Plaintiff must oppose the motion by setting forth specific
4 facts in declaration(s) and/or by submitting other evidence. *See* Fed. R. Civ. P. 43(c); *Ritza*, 837
5 F.2d at 369. If Plaintiff does not submit his own evidence in opposition, the Court may conclude
6 that Plaintiff has no evidence to oppose the motion and the case will be dismissed in whole or in
7 part.

8 4. Unsigned declarations will be stricken, and declarations not signed under penalty of
9 perjury have no evidentiary value.

10 5. The failure of any party to comply with this order, the Federal Rules of Civil
11 Procedure, or the Local Rules of the Eastern District of California may result in the imposition of
12 sanctions including but not limited to dismissal of the action or entry of default.

13
14 IT IS SO ORDERED.

15 Dated: January 23, 2014

/s/ Jennifer L. Thurston
16 UNITED STATES MAGISTRATE JUDGE