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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

KARIMA K. ALI and BRAWLEY
INSURANCE SERVICES, INC.,

Plaintiff

v.

INTEGRATED BENEFITS, *et. al.*,

Defendant.

1:11cv1889 LJO-BAM

ORDER TO SHOW CAUSE

Plaintiff Karima K. Ali proceeds individually in forma pauperis in this matter and as the representative of plaintiff Brawley Insurance Services, Inc. Plaintiff's complaint raises several issues that warrant dismissal of this complaint. Accordingly, plaintiff shall show cause in writing no later than February 8, 2012 why this action should not be dismissed for the reasons stated below.

First, the complaint alleges that plaintiff Brawley Insurance Services, Inc. is a corporation. The complaint does not allege that plaintiff Karima K. Ali is an attorney. Pursuant to Local Rule 183, a corporation or other entity may appear only by an attorney. Accordingly, plaintiff shall show cause in writing no later than February 8, 2012 why this action by Brawley Insurance Services, Inc. should not be dismissed for failure to be represented by an attorney.

Second, Plaintiff filed this complaint of November 14, 2011. Upon review of the complaint, it appears to the Court that this action is substantively identical to a separate action that Plaintiff filed on November 28, 2011, 1:11-cv-1963-LJO-BAM. Typically, in cases such as this, where a duplicate petition has been filed and inadvertently been given a new case number and a second case has been opened, the Court should dismiss the later case outright as duplicative if the two pleadings raise

1 identical issues. However, in *Ali v. Integrated Benefits Administrators*, 1:11-cv-1963-LJO-BAM,
2 plaintiff paid the required filing fee and the complaint was served on all defendants. Accordingly,
3 the Court will seek to dismiss this earlier filed case *Ali, et. al v. Integrated Benefits Administrators,*
4 *Inc.*, 1:11-cv-1889-LJO-BAM, unless Plaintiff can show cause in writing no later than February 8,
5 2012 why this duplicate action should not be dismissed.

6 Finally, on December 29, 2011, the Court's order reassigning this case to District Judge
7 Lawrence J. O'Neil was returned as undeliverable; unable to forward. Plaintiff has not filed with
8 this Court a change of address form as required by Local Rule 182(f). Plaintiff IS INFORMED that
9 pursuant to Local Rule 183(b), it is Plaintiff's obligation to keep the parties and the Court apprised
10 of her current address; further, if mail directed to Plaintiff is returned, the Court may dismiss the
11 action without prejudice for failure to prosecute. Local Rule 183(b).

12 Based on the foregoing, Plaintiff is HEREBY ORDERED to show cause in writing on or
13 before February 8, 2012 as follows:

- 14 1. Plaintiff shall show cause why this action should not be dismissed as duplicative;
- 15 2. Plaintiff shall show cause why Brawley Insurance Services should not be dismissed
16 for failure to be represented by an attorney; and
- 17 3. Plaintiff shall show cause why this action should not be dismissed for failure to file
18 a notice of change of address.

19 **Plaintiff is forewarned that her failure to comply with this order will result in an**
20 **order dismissing this complaint pursuant to Local Rule 110.**

21 IT IS SO ORDERED.

22 **Dated: January 11, 2012**

23 /s/ Barbara A. McAuliffe
24 UNITED STATES MAGISTRATE JUDGE
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