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

HICA EDUCATION LOAN

CASE NO. CV F 12-1140 LJO SMS

Plaintiff,

**ORDER TO SHOW CAUSE WHY
SANCTIONS SHOULD NOT BE IMPOSED**
(Doc. 9.)

vs.

DAVID MEYERS,

Defendant.

_____/

Plaintiff's counsel disobeyed this Court's September 14, 2012 order to file appropriate papers, no later than September 28, 2012, to file proper papers dismiss this action or to show good cause why the parties have failed to comply with F.R.Civ.P. 41(a)(1)(A)(ii). As such, this Court ORDERS plaintiff's counsel, no later than October 5, 2012, to file papers to show good cause why this Court should not impose sanctions, including monetary sanctions or dismissal with or without prejudice, against plaintiff and/or its counsel for failure to comply with the September 14, 2012 order. This order to show cause will be discharged if, no later than October 5, 2012, plaintiff files appropriate papers to dismiss this action in its entirety. This Court ADMONISHES plaintiff and its counsel that they must observe and obey the Federal Rules of Civil Procedure and this Court's Local Rules and orders and are subject to sanctions as this Court deems appropriate.

IT IS SO ORDERED.

Dated: September 29, 2012

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE