

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

ZUCKERMAN FAMILY FARMS, INC., a California corporation; and BELLA BRANDS, LLC, a California limited liability company, 1:14-cv-01529-AWI-BAM

ORDER TO SHOW CAUSE WHY THIS CASE SHOULD NOT BE

Plaintiffs,

V.

BIDART BROS., a California corporation,
and DOES 1 through 20, inclusive,

Defendants.

On December 17, 2014, this Court dismissed Plaintiffs' complaint with leave to amend.

Doc. 18. The Court made clear that “[a]ny amended complaint must be filed within 60 days of the date of” that order. Doc. 18 at 19. Plaintiffs failed to file an amended complaint within the time allotted. Defendant has filed an application for an order dismissing the complaint and closing the case. Doc. 21. Plaintiffs will be ordered to show cause why this action should not be dismissed.

The Local Rules, corresponding with Fed. R. Civ. P. 11, provide: "Failure of counsel or of a party to comply with . . . any order of the Court may be grounds for the imposition by the

1 Court of any and all sanctions . . . within the inherent power of the Court.” Local Rule 110.
2 “District courts have inherent power to control their dockets,” and in exercising that power, a
3 court may impose sanctions including dismissal of an action. *Thompson v. Housing Authority of*
4 *Los Angeles*, 782 F.2d 829, 831 (9th Cir. 1986). A court may dismiss an action with prejudice,
5 based on a party’s failure to prosecute an action or failure to obey a court order, or failure to
6 comply with local rules. *See, e.g. Ferdik v. Bonzelet*, 963 F.2d 1258, 1260-61 (9th Cir. 1992)
7 (dismissal for failure to comply with an order requiring amendment of complaint); *Malone v.*
8 *U.S. Postal Service*, 833 F.2d 128, 130 (9th Cir. 1987) (dismissal for failure to comply with a
9 court order); *Henderson v. Duncan*, 779 F.2d 1421, 1424 (9th Cir. 1986) (dismissal for failure to
10 prosecute and to comply with local rules).

11 Accordingly, Plaintiffs are **ORDERED** to show cause by April 9, 2015 at 4:00 p.m. why
12 the action should not be dismissed for failure to comply with the Court’s order and failure to
13 prosecute.

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15 IT IS SO ORDERED.

16 Dated: April 1, 2015



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SENIOR DISTRICT JUDGE