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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROSENDA FLORES, et al.,
Plaintiffs,
v.
CITY OF CALIFORNIA, et al.,
Defendants.

No. 1:18-cv-00703-DAD-JLT

ORDER TO SHOW CAUSE REQUIRING
PLAINTIFFS' PERSONAL APPEARANCES

ORDER DIRECTING CLERK OF COURT TO
SERVE THIS ORDER ON PLAINTIFFS

On April 30, 2019, the court issued an order granting defendants' motion to dismiss plaintiffs' second amended complaint. (Doc. No. 40.) Therein, the court also granted plaintiffs leave to file a third amended complaint, requiring that any such filing be filed and served within fourteen (14) days from the issuance of the order. (*Id.* at 13.) Immediately after the court issued the April 30, 2019 order, a legal assistant from the Law Offices of Olaf Landsgaard emailed the undersigned's courtroom deputy and informed the court that Olaf Landsgaard—plaintiffs' counsel of record in this matter—passed away on April 23, 2019. The legal assistant further informed the court that attorney Landsgaard was a solo practitioner and that his office was in the process of securing new counsel to represent plaintiffs in this matter. Accordingly, on May 2, 2019, the court issued a minute order removing the fourteen (14) day deadline to file an amended complaint and directing plaintiffs to notify the court within thirty (30) days from the issuance of

1 that minute order whether they had found substitute counsel or, if not, how long they anticipate it
2 would take them to find substitute counsel or whether they intend to proceed with this action *pro*
3 *se* or whether they seek to dismiss this action. (Doc. No. 41.) Because it was unclear to the court
4 whether plaintiffs ever received the May 2, 2019 minute order, on June 13, 2019, after the
5 deadline to comply with the May 2, 2019 minute order lapsed, the court issued another minute
6 order, directing the Clerk of the Court to mail a copy of the June 13, 2019 minute order, the May
7 2, 2019 minute order, and the court's order granting defendants' motion to dismiss at an address
8 for plaintiffs that has been provided to the court by attorney Landsgaard's legal assistant. (Doc.
9 No. 43.) The June 13, 2019 minute order redirected plaintiffs to inform the court within fourteen
10 (14) days from the issuance of that order how they wished to proceed, if at all, with this action.
11 (*Id.*) That fourteen (14) day deadline has now passed, and plaintiffs have not complied with the
12 court's orders or otherwise communicated with the court. The court has also, by email and
13 telephone, attempted to contact the Law Offices of Olaf Landsgaard to ascertain what progress, if
14 any, has been made with respect to securing substitute counsel for plaintiffs, but the court's
15 correspondences in this regard remain unanswered.

16 Accordingly, it is hereby ordered that plaintiffs Rosenda Flores, Juan Flores, Jesus Flores,
17 Rosanna Flores, and Ciriaco Flores are to appear **personally** on Tuesday, July 16, 2019, at 9:30
18 A.M. in Courtroom 5 of the Robert E. Coyle United States Courthouse, 2500 Tulare St., Fresno,
19 California and to show cause why this action should not be dismissed for failure to prosecute and
20 for failure to obey the court's orders. In the alternative, plaintiffs may appear telephonically, and
21 may do so by dialing 877-402-9757 (access code 6966236) at the time of the hearing. Although
22 defendants are not required to appear, they may do so and should do so if they have any
23 information that can assist the court in understanding how plaintiffs wish to proceed in this
24 action.

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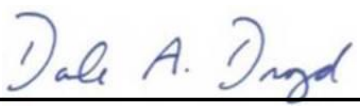
The Clerk of Court is directed to serve this order on plaintiffs **by mail** at the below address which has been provided by attorney Landsgaard's legal assistant:

21361 Reed Place
California City, CA 93505

If plaintiffs no longer wish to pursue this action but rather wish to dismiss it, they may advise the court of that desire. If not, however, they must appear at the time and place specified above as ordered. Any failure on plaintiffs' part to comply with this order will result in the dismissal of this action without prejudice.

IT IS SO ORDERED.

Dated: June 28, 2019



UNITED STATES DISTRICT JUDGE