

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SCOTT N. JOHNSON,
Plaintiff,
v.

BOBO CAFÉ, LLC, d/b/a Bobo's Cafe;
SHER S. GILL, d/b/a Cigarettes for
Less 1; BHAJAN KAUR, d/b/a
Cigarettes for Less 1; DIANE
DELVIS-BARBARDO, d/b/a Granny's
Café,
Defendants.¹

2:08-CV-02438-GEN-DAD

ORDER CONTINUING STATUS
(PRETRIAL SCHEDULING)
CONFERENCE; NOTICE TO FILE
MOTION FOR DEFAULT JUDGMENT

Plaintiff's Status Report filed January 6, 2009, reveals Plaintiff opines defendants have been served but have failed to respond to Plaintiff's complaint. Plaintiff also states he "anticipates a motion hearing no later than March 30, 2009," and indicates this statement concerns a default proceeding against

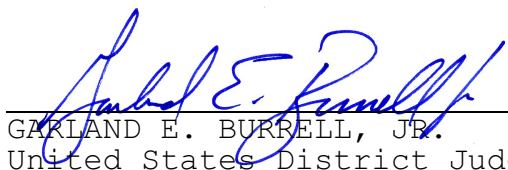
¹ The caption was amended to reflect dismissals of Defendant Brian Finney on December 5, 2008, and Defendant Thomas G. Brenner on December 3, 2008.

1 Defendants. Therefore, Plaintiff shall file a motion for default
2 judgment no later than March 30, 2009, or alternatively a document
3 in which he explains why this action should not be dismissed for
4 failure of prosecution.

5 The status (pretrial scheduling) conference scheduled for
6 January 20, 2009, is rescheduled to commence continued at 9:00 a.m.
7 on June 15, 2009. Further, Plaintiff shall file a status report no
8 later than fourteen days prior to the scheduling conference, in
9 which he is only required to explain the status of the default
10 issue, or why this action should be dismissed for failure of
11 prosecution.

12 IT IS SO ORDERED.

13 Dated: January 15, 2009

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16 GARLAND E. BURRELL, JR.
United States District Judge
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