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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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PAUL GRILEY, individually and
on behalf of the General
Public of the State of
California

NO. CIV. 2:10-1204 WBS EFB

ORDER TO SHOW CAUSE

Plaintiff,

v.

NATIONAL CITY MORTGAGE, a
division of NATIONAL CITY BANK
OF INDIANA; NATIONAL CITY BANK
OF INDIANA; PNC MORTGAGE CORP;
GREEN TREE SERVICING, LLC;
FANNIE MAE and DOES 1 to 50

Defendants.

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A Status (Pretrial Scheduling) Conference was scheduled
in this action for March 21, 2011, and the parties were required
to submit a Joint Status Report by March 7, 2011. Defendants
filed a separate status report, stating that they attempted to
reach plaintiff's counsel "for several weeks" in order to prepare
the Joint Status Report, but were unsuccessful. (Docket No. 28.)

1 The Clerk also attempted to contact plaintiff's counsel multiple
2 times, using the contact information provided by counsel, but
3 could not reach him.

4 A plaintiff's failure to prosecute or to comply with
5 the Federal Rules of Civil Procedure or a court order constitutes
6 grounds for dismissal of the action. Fed. R. Civ. P. 41(b). The
7 court does not wish to keep a case on its docket, nor should it
8 set discovery deadlines and a trial date, when the plaintiff has
9 no interest in prosecuting the action.

10 IT IS THEREFORE ORDERED that within twenty-one days of
11 the date of this Order, plaintiff shall file a brief to show
12 cause why this action should not be dismissed pursuant to Fed. R.
13 Civ. P. 42(b) for failure to prosecute. At the same time,
14 plaintiff shall file a status report as required by the court's
15 Status (Pretrial Scheduling) Conference Order (Docket No. 5).
16 The Status (Pretrial Scheduling) Conference is continued to April
17 18, 2011, at 2:00 p.m. in Courtroom No. 5. Counsel for plaintiff
18 shall personally attend the conference. Plaintiff is advised
19 that failure to comply with this Order may result in dismissal of
20 the action.

21 DATED: March 18, 2011

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23 WILLIAM B. SHUBB
24 UNITED STATES DISTRICT JUDGE
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