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

ASHWINI L. KUMAR, et al.,

Plaintiffs,

No. CIV S-11-0338 GEB GGH PS

vs.

NEW CENTURY MORTGAGE CORP., et al.,

Defendants.

ORDER TO SHOW CAUSE

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This action was referred to the undersigned pursuant to Local Rule 302(c)(21). Defendant ReconTrust Company, N.A. (“ReconTrust”) removed this action from state court on February 4, 2011. Nothing has been filed in the case since that time. As best as can be determined from the exhibits to the notice of removal, plaintiffs were directed to file and serve an amended complaint by the state court on December 10, 2010. Defendants were to thereafter file a responsive pleading. (Notice of Removal, Ex. B, Part 2, at 68-69.) According to defendant, an amended complaint was filed on January 4, 2011.<sup>1</sup> (Notice of Removal, ¶ 2.) The record does not indicate that defendants complied with this order by filing a responsive pleading.<sup>2</sup> The last

\_\_\_\_\_ <sup>1</sup> The exhibit referred to by defendant is entitled “complaint,” not “amended complaint.”

<sup>2</sup> Defendant ReconTrust filed a declaration of non-monetary status in state court. (Notice of Removal, Ex. B, Part 2, at 79-80.) Defendant is informed that there is no such concept in the

1 entry in the state court record was the setting of a case management conference for March 17,  
2 2011. After removal to this court on February 4, 2011, an “Order Requiring Timely Service and  
3 Joint Status Report” was issued on February 7, 2011. The parties were directed to “confer in  
4 person, if at all possible, pertaining to the automatic disclosures required by Fed. R. Civ. P. 26, as  
5 amended effective December 1, 2000, within 30 days after the answer by any defendant.  
6 Thereafter, within 14 days, the parties shall submit to the court a joint status report.” There has  
7 been no action by the parties since the removal. A joint status report has not been received, and a  
8 responsive pleading does not appear to have been filed.

9 Accordingly, IT IS HEREBY ORDERED that:

10 The parties shall show cause, in writing, within fourteen days from the date of this  
11 order, why a joint status report has not been filed, or they shall file their joint status report. In the  
12 alternative, if a responsive pleading is required and has not been filed, it shall be filed and served  
13 within fourteen days of this order.

14 DATED: January 13, 2012

15 /s/ Gregory G. Hollows  
16 UNITED STATES MAGISTRATE JUDGE

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26 federal courts.