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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.,

ORDER TO SHOW CAUSE

Defendants.

_____ /

This action was referred to the undersigned pursuant to Local Rule 302(c)(21). Presently under submission is defendant ReconTrust Company’s motion to dismiss, filed January 27, 2012. Because plaintiffs did not file an opposition, the court took the motion under submission without a hearing.

E.D. Local Rule 230(c) provides that “no party will be entitled to be heard in opposition to a motion at oral arguments if opposition to the motion has not been timely filed by that party.” Rule 230(i) provides “failure to appear may be deemed withdrawal of ... opposition to the motion....” Not only have plaintiffs failed to oppose a motion to dismiss, but they have also previously failed to file a joint status report, prompting this court to issue an order to show cause on January 13, 2012. Plaintiffs’ lack of participation in their case leaves this court no

1 choice but to issue yet another order to show cause.

2 Accordingly, IT IS HEREBY ORDERED that: Plaintiffs shall show cause, in
3 writing, within fourteen days from the date of this order, why this action should not be dismissed
4 for failure to prosecute. Failure to comply with this order will result in a recommendation that
5 this action be dismissed.

6 DATED: May 15, 2012

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/s/ Gregory G. Hollows
UNITED STATES MAGISTRATE JUDGE

9 GGH:076/Kumar0338.osc2.wpd

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