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

ALEXANDER PRESNIAKOV,

No. C 04-00831 JSW

Plaintiff,

**ORDER TO SHOW CAUSE AS TO
WHY CASE SHOULD NOT BE
DISMISSED FOR FAILURE TO
PROSECUTE AND WHY
SANCTIONS SHOULD NOT BE
IMPOSED AND SETTING
HEARING**

v.

RETAIL DISTRIBUTORS LLC, et al.,

Defendants.

The Court has received the parties' Joint Status Report dated February 5, 2010. Having considered that report, Plaintiff is HEREBY ORDERED TO SHOW CAUSE as to why this case should not be dismissed for failure to prosecute and why sanctions should not be imposed. Plaintiff's response to this Order to Show Cause shall be due by no later than February 17, 2010. Defendants may submit a brief in opposition to Plaintiff's response by no later than February 25, 2010, if they believe an opposition is necessary. Unless otherwise ordered, the Court shall not entertain a reply brief. It is FURTHER ORDERED that this matter will be set down for a hearing on this Order to Show Cause on March 5, 2010 at 1:30 p.m. Plaintiff shall be present for this hearing. If Plaintiff is unable to be present on that date, the parties shall meet and confer and submit a stipulation and proposed order continuing the hearing to a Friday afternoon in March when Plaintiff is available to be personally present for the hearing. A continuance of the hearing on the Order to Show Cause shall not alter the briefing deadlines set by this Order.

IT IS SO ORDERED.



United States District Court
For the Northern District of California

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Dated: February 8, 2010

JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE