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UNITED STATES DISTRICT COURT
Northern District of California

DONALD BERTONE,

Plaintiff,

No. C-08-1003 MEJ

v.

ORDER TO SHOW CAUSE

CITY & COUNTY OF SAN FRANCISCO, et
al.,

Defendants.

_____ /

Before the Court is Defendant City & County of San Francisco's motion to either (1) dismiss Plaintiff Donald Bertone's case, or (2) compel Plaintiff's deposition. Pursuant to Federal Rule of Civil Procedure 78(b) and Civil Local Rule 7-1(b), the Court finds this matter suitable for disposition without a hearing and hereby VACATES the March 15, 2012 hearing date. Plaintiff is hereby ORDERED to show cause why this case should not be dismissed for failure to prosecute and failure to comply with court deadlines. Plaintiff shall file a declaration by February 16, 2012, and the Court shall conduct a hearing on February 23, 2012 at 10:00 a.m. in Courtroom B, 15th Floor, 450 Golden Gate Avenue, San Francisco, California. In the alternative, Plaintiff shall make himself available for deposition by February 15, 2012, and the parties shall thereafter inform the Court by joint statement that the order to show cause hearing should be vacated. The Court shall defer ruling on Defendant's motion to dismiss pending Plaintiff's actions in response to this Order.

IT IS SO ORDERED.

Dated: February 7, 2012



Maria-Elena Jimenez
Chief United States Magistrate Judge

UNITED STATES DISTRICT COURT
For the Northern District of California