

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

WILLIAM J. WHITSITT,

Plaintiff,

v.

R. LANCE & SON,

Defendant.

No. C 08-01803 JSW

**ORDER ACKNOWLEDGING
RECEIPT OF PLAINTIFF'S CASE
MANAGEMENT STATEMENT,
RESPONSE TO ORDER TO
SHOW CAUSE, AND NOTICE OF
CHANGE OF ADDRESS**

This matter was set for a case management conference on September 7, 2012. The parties' case management statements were due on August 31, 2012. On September 10, 2012 the Court issued an Order admonishing Plaintiff about his duties in prosecuting this case. The Court also issued sent out a minute order setting the deadlines in this case. Both of these orders were returned to the Court by the United States Postal Service, because Plaintiff apparently has moved. (*See* Docket Nos. 110-111.)

On September 17, 2012, Plaintiff filed a case management conference statement, a response to the order to show cause, and a Notice of Change of Address. The Court has considered Plaintiff's response for not appearing at the Case Management Conference. The Court appreciates the difficulties Plaintiff may face, but it reiterates the admonishments set forth in its Order dated September 10, 2012.

If either party, including the Plaintiff, requires a continuance of a deadline imposed by the Court or a scheduled court date, that party must submit a written request or proposed stipulation to the Court showing good cause for the request and shall provide the Court with

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

sufficient time to consider the request before the deadline expires or the hearing date passes.

If Plaintiff fails to appear for future hearings or fails to comply with Court deadlines, he is HEREBY NOTIFIED that such failure may result in the issuance of an Order to Show Cause as to why sanctions should not be imposed, including dismissal for failure to prosecute this case. **IT IS SO ORDERED.**

Dated: September 21, 2012



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

WILLIAM J. WHITSITT et al,
Plaintiff,

Case Number: CV08-01803 JSW

CERTIFICATE OF SERVICE

v.


JEAN ZEDLITZ et al,
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on September 21, 2012, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

William J. Whitsitt
26 W. Emerson Ave.
Tracy, CA 95376

Dated: September 21, 2012


Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk