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**United States District Court**  
For the Northern District of California

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Michael Fenton,

No. C 08-3536 JL

Plaintiff,

**ORDER TO SHOW CAUSE**

v.

Alameda County, et al.,

Defendants.

TO PLAINTIFF AND FORMER COUNSEL OF RECORD: You are hereby ordered to respond to the following questions of the Court as to why your case should not be dismissed with prejudice for failure to prosecute.

**Background**

Plaintiff filed his complaint in Alameda County Superior Court and Defendants removed it to this Court on the basis of federal question jurisdiction. All parties consented to this Court's jurisdiction pursuant to 28 U.S.C. §636(c)

The most recent case management conference was held before the Court in this case on December 3, 2008 at 10:30 a.m.. All parties had been duly notified. Defendants Alameda County and Prison Health Services appeared by their counsel. There was no

1 appearance by or on behalf of Plaintiff. The Court received a notice of substitution of  
2 counsel on the day before the hearing.

3 **Order**

4 It is hereby ordered that if present counsel Neil. A. Cook is no longer representing  
5 Plaintiff, he shall inform the Court and the Plaintiff himself shall notify the Court as to  
6 Plaintiff's current location and whether Plaintiff intends to continue with this action.

7 It is also ordered that a further case management conference shall be held before  
8 this Court on February 4, 2009, at 10:30 a.m.

9 If Plaintiff will be representing himself, he shall make all court appearances or notify  
10 the Court that he is unavailable, or his case will be dismissed.

11 IT IS SO ORDERED.

12 DATED: December 4, 2008

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16 James Larson  
17 Chief Magistrate Judge

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