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6   IN THE UNITED STATES DISTRICT COURT

7   FOR THE NORTHERN DISTRICT OF CALIFORNIA

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10   PAUL WARFIELD,

11   Plaintiff,   No. C 08-04593 WHA

12   v.

13   CHARLES O. BAKER, RON NEWGARD,   **ORDER TO SHOW CAUSE**
     and F/V LINDA KAY, and DOES ONE
14   through TEN, inclusive,

15   Defendants.
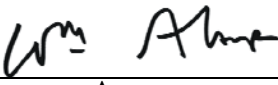   /
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17   On motion by plaintiff's counsel, the case management conference was continued and

18   the new date was set for February 12. The new date was of record very shortly after the motion

19   was made. In addition, the Court's secretary called both sides to remind them that even though

20   they failed to file a joint case management statement, they still needed to be present on

21   February 12 at 11:00 a.m. for the case management conference. Nonetheless, plaintiff's counsel

22   failed to appear for the conference. Defense counsel did appear and made a reasonable

23   presentation that this action should be transferred to the Western District of Washington.

24   Plaintiff is **ORDERED TO SHOW CAUSE** why this case should not be so transferred. This

25   submission is due by **FEBRUARY 20, 2009, AT NOON**. Plaintiff is also **ORDERED TO SHOW**

26   **CAUSE** why, in the alternative, this action should not be dismissed (without prejudice) for lack

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of prosecution. Please submit the response to the order to show cause on the same schedule as above.

IT IS SO ORDERED.

Dated: February 12, 2009.

WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE