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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JESUS RAMIREZ ORTEGA, )  
 )  
 Plaintiff(s), )  
 )  
 v. )  
 )  
 INDYMAC FEDERAL BANK, FSB, )  
 )  
 )  
 Defendant(s). )  
 \_\_\_\_\_ )

No. C09-0566 BZ  
**ORDER TO SHOW CAUSE  
WHY CASE SHOULD NOT BE  
DISMISSED FOR FAILURE TO  
PROSECUTE**

In a February 13 order, the Court scheduled defendant's motion to dismiss (filed February 11, 2009) for hearing on March 25, 2009 and ordered plaintiff to consent to or decline magistrate judge jurisdiction on or before the March 25, hearing date. Plaintiff did not appear at the March 25 hearing (and filed no opposition to defendant's motion) and has yet to consent or decline magistrate judge jurisdiction.

Subsequent to the February 13 order, the Court learned that the law offices of plaintiff's counsel were recently shut down by the State Bar Association. See Judge Alsup's Order dated March 4, 2009 in Perez v. Quality Loan Service Corp., C08-5800.

Therefore, good cause appearing, plaintiff is hereby

1 **ORDERED** to show cause in writing by **Monday, April 27, 2009**,  
2 why this case should not be dismissed for the reasons argued  
3 in defendant's motion to dismiss and for lack of prosecution.  
4 Plaintiff may do so himself, if he wishes to proceed *pro se*,  
5 or may do so through counsel if he has secured new counsel (or  
6 intends to do so). At the very least, plaintiff should  
7 explain why he has failed to respond to defendant's motion to  
8 dismiss and why he failed to attend the March 25 hearing.

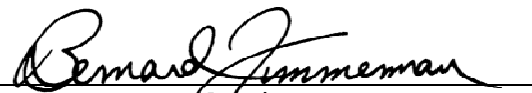
9 On or before **April 27, 2009**, plaintiff shall also consent  
10 to or decline magistrate judge jurisdiction. The form to  
11 consent to or decline magistrate judge jurisdiction may be  
12 found on the court's website at: <http://www.cand.uscourts.gov>.

13 A hearing on the Order to Show Cause is scheduled for **May 20,**  
14 **2009 at 10:00 a.m.**, in Courtroom G, 15th Floor, Federal  
15 Building, 450 Golden Gate Avenue, San Francisco, California  
16 94102. Plaintiff shall appear personally or through counsel.

17 Alternatively, if plaintiff does not wish to pursue this  
18 case, he may dismiss it and not respond to the Order to Show  
19 Cause.

20 Defendant's attorneys are **ORDERED** to serve this order,  
21 along with the pending motion, on plaintiff personally.

22 Dated: March 25, 2009

23 

24 Bernard Zimmerman  
United States Magistrate Judge

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