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United States District Court
For the Northern District of California

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

PATRICIA SMITH, individually, and as
administrator of the ESTATE OF HEATHER
SMITH-BILLINGS, deceased, as guardian
ad litem of KYLE LEE BILLINGS, a minor,

No. C 09-00825 WHA

ORDER TO SHOW CAUSE

Plaintiffs,

v.

CITY OF ROHNERT PARK, TED
GIESIGE, individually, and as Rohnert Park
Police Services Commander, ROBERT
LANKFORD, individually, and as Rohnert
Park Police Officer, DOES 1 through 20,
inclusive,

Defendants.

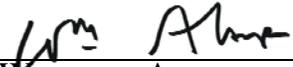
A jury trial in this action is poised to begin at 7:30 a.m. on November 15, with a final pretrial conference scheduled for 2:00 p.m. on November 1. Pursuant to the undersigned's standing order for jury trials, the parties were required to file, among other things, a joint proposed final pretrial order, proposed jury instructions, and motions *in limine* (if any) at least seven calendar days prior to the conference. That deadline was yesterday. Neither side, however, has filed anything in this action since August 2009. Plaintiff is **ORDERED TO SHOW CAUSE** why this action should not be dismissed in its entirety for want of prosecution. A response to this order must be filed **BY NOON ON MONDAY, NOVEMBER 1**. Unless a dismissal is filed by this

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noon deadline, counsel for both sides must appear at the final pretrial conference scheduled to begin at 2:00 p.m. on November 1.

IT IS SO ORDERED.

Dated: October 26, 2010.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE