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

EDWARD J. PROUDFOOT and
MICHELLE MILLIORN,

No. C 09-01492 WHA

Plaintiffs,

ORDER TO SHOW CAUSE

v.


CITY OF OAKLAND, et al.,

Defendants.

Defendant has filed a motion to dismiss this action, and the motion is currently scheduled to be heard August 20, 2009. Pursuant to Civil Local Rule 7-3, any brief in opposition to the motion was due July 30, 2009, but no such opposition was received. Plaintiffs' counsel had previously indicated that, due to the death of plaintiff Edward J. Proudfoot, an amended complaint will be necessary. The motion, however, has not been withdrawn and remains on the calendar. Plaintiffs are **ORDERED** to respond by **AUGUST 5, 2009, AT NOON**, and show cause for the failure to respond. If plaintiffs fail to respond, the motion may be granted as unopposed. Alternately, if plaintiffs do not oppose the motion they must file a statement of non-opposition in accordance with Civil Local Rule 7-3(b).

IT IS SO ORDERED.

Dated: August 3, 2009.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE