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****E-filed 5/6/11****

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

KEN MOOREHEAD,

No. C 09-2182 RS

Plaintiff,

v.

**ORDER TO SHOW CAUSE WHY
ACTION SHOULD NOT BE
DISMISSED**

SAFEWAY,

Defendant.

Plaintiff Ken Moorehead has failed to respond to (1) written discovery propounded by defendant, (2) the Court's order compelling responses to that discovery, and (3) defendant's motion for sanctions based on those failures. Moorehead also failed to appear at the hearing on the motion for sanctions. Accordingly, Moorehead is hereby ordered to appear and show cause, if any he has, why this action should not be dismissed, on **Thursday, June 2, 2011, at 1:30 p.m.**, in Courtroom 3, of the Court, located at 450 Golden Gate Avenue, 17th Floor, San Francisco, CA.

Although defendant's motion for sanctions will be administratively terminated pending further order, Moorehead is advised that the Court retains not only the option to dismiss this action entirely based on his failure to participate in the litigation and to comply with court orders, but

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alternatively to impose sanctions against him, including monetary sanctions and orders that limit his claims and/or the evidence he is entitled to present at trial in support of those claims.

IT IS SO ORDERED.

Dated: 5/6/11



RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE

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THIS IS TO CERTIFY THAT A HARD COPY OF THIS ORDER WAS MAILED TO:

Ken Moorehead
34 Turk Street, #351
San Francisco, CA 94102

DATED: 5/6/11

/s/ Chambers Staff
Chambers of Judge Richard Seeborg