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

KINGSWAY TECHNOLOGIES, INC.,
ESTHER OTTI BRAIMAH,

No. C 09-02512 CRB

ORDER TO SHOW CAUSE

Plaintiffs,

v.

INDYMAC FEDERAL BANK, QUALITY
LOAN SERVICE CORPORATION,

Defendants.

Plaintiffs Kingsway Technologies and Esther Otti Braimah filed a *pro se* complaint in California state court, alleging a host of claims under state and federal law. The case was removed to this Court, and Defendant Onewest Bank, FSB (erroneously sued as “IndyMac Federal Bank”) filed a motion to dismiss. The motion is noticed for hearing on Friday, July 24, 2009.

Pursuant to Civil Local Rule 7, Plaintiffs’ opposition or statement of non-opposition was due by July 3, 2009. As of July 20, 2009, Plaintiffs have failed to file a response to Defendant’s motion.

In the motion to dismiss, Defendant challenges each of Plaintiff’s claims. Having reviewed the moving papers and the record, the Court concludes Defendant’s motion has merit. The Court will dismiss this case in its entirety unless, before August 7, 2009,

1 Plaintiffs file a declaration to show cause why the case should not be dismissed for lack of
2 prosecution pursuant to Federal Rule of Civil Procedure 41(b).

3 The hearing on the motion to dismiss scheduled for Friday, July 24, 2009 is hereby
4 VACATED.

5 **IT IS SO ORDERED.**

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8 Dated: July 20, 2009



CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE

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