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

DAN HARTMANN,

Plaintiff,

v.

CHRISTIAN HANSON, *et al.*,

Defendant.

No. C 09-03227 WHA

**ORDER REGARDING  
PLAINTIFF'S RESPONSE TO  
ORDER TO SHOW CAUSE**

The undersigned has received plaintiff's filings on January 4, 2010, regarding the pending orders to show cause. Plaintiff is reminded that *two* orders to show cause have been issued against him. The first was issued on December 10, 2009, following plaintiff's unexplained absence at a case management conference scheduled for that same day. In that order, plaintiff was ordered to show cause why he should not be subject to monetary sanctions for failing to appear at the CMC and why the case should not be dismissed for want of prosecution (Dkt. No. 27). The second order to show cause was issued on December 18, 2009, following plaintiff's failure to file any opposition to defendant's pending motion to dismiss (or alternatively, motion for summary judgment) (Dkt. No. 26). In the December 18 order, plaintiff was ordered to show cause why defendant's motion should *not* be treated as unopposed and ruled on accordingly. In light of plaintiff's January 4 response, plaintiff will be given the opportunity to address *both* of these orders to show cause at the hearing on **THURSDAY, JANUARY 7, 2010, AT 2 P.M.**


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The undersigned will delay ruling on defendant’s dispositive motion until plaintiff has had the opportunity to be heard.

Plaintiff shall *not* file any amended complaint until — if ever and if allowed — after a ruling on the pending motion, as to which plaintiff’s counsel completely failed without cause to respond. At the hearing on Thursday, all counsel shall be allowed to address whether the pending motion filed by defendant Hanson should be granted without leave to amend.

**IT IS SO ORDERED.**

Dated: January 5, 2010.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE