

United States District Court  
For the Northern District of California

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

JOHN BERMAN,

No. C 09-4065 MMC

Plaintiff,

**ORDER TO SHOW CAUSE**

v.

OPENTV CORP., et al.,

Defendants.


On January 29, 2010, plaintiff failed to appear as ordered at a regularly scheduled Case Management Conference in the above-entitled action. Counsel for defendants appeared.

Accordingly, plaintiff is hereby ordered to show cause, in writing, filed with the Court and served on opposing counsel no later than February 12, 2009, why sanctions should not be imposed for his failure to comply with a Court order and for failure to prosecute.

Plaintiff is hereby advised that if he fails to timely respond to this Order, sanctions will be imposed, which sanctions may include dismissal of the action pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

**IT IS SO ORDERED.**

Dated: January 29, 2010

  
MAXINE M. CHESNEY  
United States District Judge