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UNITED STATES DISTRICT COURT  
Northern District of California

JAMES W. JAMES,

Plaintiff(s),

v.

THE UNITED STATES OF AMERICA,

Defendant(s).

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No. C 09-5149 MEJ

**ORDER DISCHARGING OSC**

**ORDER RE MOTION TO DISMISS**

On July 27, 2010, the Court ordered Plaintiff James W. James to show cause why this case should not be dismissed for failure to prosecute and comply with court deadlines. Although Plaintiff has not responded directly to the osc, he has now filed an opposition to Defendant's pending motion to dismiss. Accordingly, the Court hereby DISCHARGES the order to show cause. Defendant shall file any reply to Plaintiff's opposition by August 12, 2010, and the Court shall conduct a hearing on Defendant's motion to dismiss on September 2, 2010 at 10:00 a.m. in Courtroom B, 15th Floor, 450 Golden Gate Avenue, San Francisco, California.

**IT IS SO ORDERED.**

Dated: August 2, 2010

  
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Maria-Elena James  
Chief United States Magistrate Judge

UNITED STATES DISTRICT COURT  
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NORTHERN DISTRICT OF CALIFORNIA

JAMES W. JAMES,

Plaintiff,

v.

THE UNITED STATES OF AMERICA et al,

Defendant.

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Case Number: CV09-05149 MEJ

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on August 2, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

James W. James  
15355 Bittern Court  
San Leandro, CA 94579

Dated: August 2, 2010

Richard W. Wieking, Clerk  
By: Brenda Tolbert, Deputy Clerk