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

DANIEL M. MILLER,
Plaintiff,

No. C 10-00264 WHA

v.

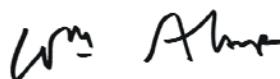
**ORDER TO SHOW CAUSE
AND VACATING HEARING**

FACEBOOK, INC. and YAO WEI YEO,
Defendants.

Defendant Facebook, Inc. filed a motion to dismiss on February 2, 2010, with a hearing noticed for March 11, 2010 (Dkt. No. 25). Under Civil Local Rule 7-3, plaintiff's opposition to the motion was due on Thursday, February 18, 2010. No opposition was filed. Plaintiff is hereby **ORDERED TO SHOW CAUSE** for its failure to file an opposition brief or statement of non-opposition pursuant to the Local Rules. This order does *not* constitute permission to file a late opposition. If a timely response to this order is not received by **NOON ON WEDNESDAY, FEBRUARY 24, 2010**, defendant's motion may be treated as unopposed, and/or the action may be dismissed for lack of prosecution under FRCP 41. The hearing on this motion is **VACATED**.

IT IS SO ORDERED.

Dated: February 23, 2010.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE