

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

ANITA CONCEPCION,
Plaintiff,

No. C-10-CV-00401 EDL

ORDER TO SHOW CAUSE

v.

WORLD SAVINGS FINANCIAL, FSB, nka
WACHOVIA FINANCIAL SERVICES, INC.;
WACHOVIA FINANCIAL SERVICES, INC., A
WELLS FARGO COMPANY; WELLS FARGO
N.A., et al.

Defendants.

On February 4, 2010, Defendants Wachovia Financial Services, Inc., Wachovia Mortgage, FSB (formerly known as World Savings Bank, FSB) and Wells Fargo N.A. filed a Motion to Dismiss Plaintiff’s complaint and Motion to Strike portions of the complaint. These motions are set for hearing on March 16, 2010. Pursuant to Northern District Civil Local Rule 7-3(a), Plaintiff’s opposition briefs were due twenty-one days before the hearing date. Plaintiff has failed to file any opposition. Further, Plaintiff has failed to either consent to this Court’s jurisdiction, or decline and request reassignment to a district court judge, despite repeated requests to do so by Court staff.

Accordingly, Plaintiff is hereby ordered to show cause why this case should not be dismissed for failure to prosecute or why the motions should not be granted as unopposed. Plaintiff’s response to this Order to Show Cause shall be due no later than Thursday, March 4, 2010. If Plaintiff seeks to file oppositions to Defendants’ motions, she must demonstrate good cause for her failure to comply with the Local Rules and any request to file late opposition briefs also must be filed no later than

1 March 4, 2010. Plaintiff is further ordered to file either a consent or declination to this Court's
2 jurisdiction by no later than March 4, 2010.

3 It is further ordered that if Plaintiff fails to file a response to this Order to Show Cause by
4 March 4, 2010, the Court will recommend dismissal of the action without prejudice for failure to
5 prosecute. If Plaintiff files oppositions to Defendants' Motions and consents to this Court's
6 jurisdiction, any replies shall be filed no later than March 11, 2010 and a hearing on the motions will
7 be held on March 30, 2010.

8 **IT IS SO ORDERED.**

9 Dated: February 25, 2010

Elizabeth D. Laporte

ELIZABETH D. LAPORTE
United States Magistrate Judge

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