

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

JON JON MANUEL, et al.,
Plaintiffs,
v.
INDYMAC BANK FSB in
Receivership of FDIC, et al.,
Defendants.

NO. C10-01035 TEH

ORDER VACATING MAY 17,
2010 HEARING AND ORDER
TO SHOW CAUSE

United States District Court
For the Northern District of California

Defendant Federal Deposit Insurance Corporation as Receiver of IndyMac Bank, FSB (“FDIC”) filed a motion to dismiss on April 12, 2010, which it noticed for hearing on May 17, 2010. Under Civil Local Rule 7-3, Plaintiffs’ opposition or statement of non-opposition was therefore due on April 26, 2010. To date, Plaintiffs have failed to file any response to FDIC’s motion. Accordingly, with good cause appearing, IT IS HEREBY ORDERED that the May 17, 2010 motion hearing is VACATED.

IT IS FURTHER ORDERED that Plaintiffs shall SHOW CAUSE as to why this case should not be dismissed for failure to prosecute. It appears from the above history that Plaintiffs have abandoned this case. If Plaintiffs fail to file a written response to this order to show cause on or before **May 17, 2010**, then this matter shall be dismissed with prejudice. If Plaintiffs file a timely written response, then the Court will consider Plaintiffs’ filing and issue a subsequent case management order, which may include both a revised briefing and hearing schedule on FDIC’s motion and a hearing as to why sanctions should not be imposed

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1 for Plaintiffs' failure to file a timely opposition or statement of non-opposition to the pending
2 motion.

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5 **IT IS SO ORDERED.**

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7 Dated: 5/5/10



THELTON E. HENDERSON, JUDGE
UNITED STATES DISTRICT COURT

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