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United States District Court
For the Northern District of California

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

DAN BARTLETT,

Plaintiff,

No. C 10-04922 JSW

v.

**ORDER TO SHOW CAUSE AND
VACATING HEARING**

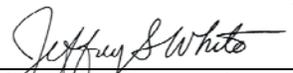
WHOLE FOODS MARKET,

Defendant.

On November 9, 2010, Defendant filed a motion to dismiss, which is noticed for hearing on December 17, 2010. Plaintiff has not opposed the motion, and Defendant has not filed a reply brief, in accordance with the time permitted by the Northern District Civil Local Rules. Accordingly, Plaintiff is HEREBY ORDERED TO SHOW CAUSE why this case should not be dismissed for lack of prosecution. Plaintiff's response to this Order to Show Cause shall be due by no later than December 13, 2010. The hearing set for December 17, 2010 is VACATED and shall be reset, if necessary, once the Court has received and considered Plaintiff's response to this Order to Show Cause. If Plaintiff fails to file a timely response to this Order to Show Cause, the Court shall dismiss the case without prejudice without further notice.

IT IS SO ORDERED.

Dated: December 6, 2010



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE