

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

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WALTER HERNANDEZ, et al.,
Plaintiffs,
v.
WMC MORTGAGE CORP., et al.,
Defendants.

NO. C10-5434 TEH
ORDER TO SHOW CAUSE

Defendant Kondaur Capital Corporation’s motion to dismiss is currently pending before the Court. Plaintiffs failed to file any opposition papers by the January 3, 2011 deadline. The Court’s deputy clerk left a voice-mail message for Plaintiffs’ counsel on January 4, 2011. That message has yet to be returned. The Court’s deputy clerk called again on January 5, 2011, and could not leave a voice-mail message because Plaintiffs’ counsel’s mailbox was full.

Accordingly, with good cause appearing, IT IS HEREBY ORDERED that Plaintiffs shall show cause as to why sanctions should not be imposed, including possible dismissal of this case for failure to prosecute. Plaintiffs’ show cause response shall be filed on or before January 18, 2011. Plaintiffs shall also file opposition papers or a statement of non-opposition to the pending motion by the same date. The Court will then schedule a reply deadline and hearing date if necessary. Plaintiffs’ counsel shall register with the Court’s electronic case filing system and file these papers electronically.

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If Plaintiffs fail to file a timely response to this order, then this case shall be dismissed with prejudice for failure to prosecute.

IT IS SO ORDERED.

Dated: 1/5/11



THELTON E. HENDERSON, JUDGE
UNITED STATES DISTRICT COURT