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

JOSE CONTRERAS,  
Plaintiff,

No. C 11-00068 CRB

**ORDER TO SHOW CAUSE**

v.

BANK OF AMERICA, ET AL,  
Defendant.

Plaintiff filed this action in January 2011. Dkt. 1. Judge Fogel granted Defendants' Motion to Dismiss on August 23, 2011 and ordered that Plaintiff amend the Complaint within thirty days. Dkt. 24. Plaintiff failed to file an amended complaint. On October 18, 2011, Defendants filed a Motion to Dismiss for failure to prosecute pursuant to Fed. R. Civ. P. 41(b) due to Plaintiff's failure to file an amended complaint. Dkt. 30. As of this date, Plaintiff has not yet filed an amended complaint, nor has Plaintiff filed an opposition brief to the motion to dismiss. Accordingly, Plaintiff is ORDERED to show cause why his case should not be dismissed for failure to prosecute under Federal Rule of Civil Procedure 41(b). Plaintiff shall file his response to this Order, along with any materials he would like the Court to consider in ruling on Defendants' motion, by Monday, November 28, 2011 at 4:00 p.m.

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1 Failure to respond to this Order could result in the dismissal of Plaintiff's case.

2 **IT IS SO ORDERED.**

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5 Dated: November 17, 2011

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CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE