

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

## IN THE UNITED STATES DISTRICT COURT

## FOR THE NORTHERN DISTRICT OF CALIFORNIA

BENJAMIN F. REED, SR., ET AL,

Plaintiffs,

No. C 11-00194 JSW

v.

WELLS FARGO BANK, ET AL,

**THIRD ORDER TO SHOW  
CAUSE**Defendants.  

---

This matter is set for a hearing on October 28, 2011 on Defendants' motion to dissolve the preliminary injunction. Pursuant to Local Civil Rule of the Northern District 7-3, Plaintiffs' opposition or statement of non-opposition to this motion was due to be filed and served by September 22, 2011, fourteen days after Defendants' filed their motion to dissolve the preliminary injunction. To date, Plaintiffs have not filed an opposition or statement of non-opposition. The Court notes that this is the *third* order to show cause issued by this Court due to the Plaintiffs' failure to timely respond to a motion.

Plaintiffs are HEREBY ORDERED TO SHOW CAUSE ("OSC") in writing, by no later than October 20, 2011, why the pending motion to dissolve the preliminary injunction should not be granted in light of their failure to file a timely opposition or statement of non-opposition. If Plaintiffs seek to file a substantive response to Defendants' motion, Plaintiffs must demonstrate good cause for failing to file their opposition brief in a timely fashion. Moreover, in their response to this OSC, Plaintiffs are also directed to show cause why their claims should not be dismissed for failure to prosecute. Plaintiffs are admonished that their failure to respond

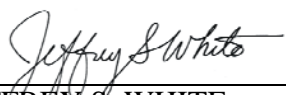
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

this Order by October 20, 2011, will result in a dismissal of their claims. In addition, Plaintiffs' counsel shall show cause why he should not be personally sanctioned in the amount of \$500.

If Plaintiffs seek to file a substantive response to Defendants' motion and demonstrates good cause for their delay, the Court will provide Defendants an opportunity to file a reply brief. The Court HEREBY VACATES the hearing date of October 28, 2011 and will reset the hearing, if necessary.

**IT IS SO ORDERED.**

Dated: October 12, 2011

  
\_\_\_\_\_  
JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE