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

MIKHAIL HENNING,

Plaintiff,

No. C 11-00621 JSW

v.

**ORDER TO SHOW CAUSE RE
FAILURE TO PROSECUTE**

CBE GROUP, INC.,

Defendant.

_____ /

On February 22, 2011, Defendant CBE Group, Inc. filed a Motion to Dismiss, which is noticed for hearing on May 6, 2011. On February 22, 2011, this Court issued an Order setting a briefing schedule on that motion. Pursuant to that Order, Plaintiff’s opposition to the motion was to be filed and served by no later than Friday, March 18, 2011. Plaintiff did not file an opposition brief on that date.

Accordingly, Plaintiff is HEREBY ORDERED TO SHOW CAUSE why this case should not be dismissed without prejudice for failure to prosecute. Plaintiff’s response to this Order to Show Cause shall be due by no later than April 8, 2011. If Plaintiff seeks leave to file a belated opposition to Defendant’s motion, he must file a request to submit an untimely brief, demonstrate good cause to so, and submit his proposed opposition with this request to file an untimely brief. Any such request also must be served and filed by no later than April 8, 2011. If Plaintiff fails to respond to this Order to show cause or fails to submit a request to file an untimely brief with the proposed opposition by that date, the Court shall dismiss this case, without prejudice and without further notice to plaintiff.

United States District Court
For the Northern District of California

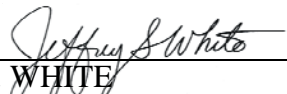
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If Plaintiff files a request for leave to file an untimely opposition, and that request is granted, Defendant's reply shall be due seven days after the Court's Order granting the request to late file. The hearing set for May 6, 2011 remains on calendar pending further order of the Court.

The Court again HEREBY ADVISES Plaintiff that a Handbook for Pro Se Litigants, which contains helpful information about proceeding without an attorney, is available through the Court's website or in the Clerk's office. Plaintiff also may wish to seek assistance from the Legal Help Center. Plaintiff may call the Legal Help Center at 415-782-9000, extension 8657, or sign up on the 15th Floor of the Courthouse, Room 2796, for a free appointment with an attorney who may be able to provide basic legal help, but not legal representation.

IT IS SO ORDERED.

Dated: March 25, 2011



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA
4

5 HENNING et al,

Case Number: CV11-00621 JSW

6 Plaintiff,

CERTIFICATE OF SERVICE

7 v.

8 CBE GROUP, INC. et al,

9 Defendant.
10 _____/

11 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S.
12 District Court, Northern District of California.

13 That on March 25, 2011, I SERVED a true and correct copy(ies) of the attached, by placing
14 said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by
15 depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office
16 delivery receptacle located in the Clerk's office.

16 Mikhail R. Henning
17 PO Box 1100
18 Newark, CA 94560

18 Dated: March 25, 2011

Jennifer Ottolini
Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk