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28IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RONALD MAZZAFERRO,

No. C 11-4097 SI

Plaintiff,

**ORDER TO SHOW CAUSE WHY CASE
SHOULD NOT BE DISMISSED WITH
PREJUDICE FOR FAILURE TO
PROSECUTE**

v.

MANSUETTO LENCI,

Defendant.

On December 17, 2013, the Court held a regularly scheduled pretrial conference in preparation for the trial scheduled to begin on January 27, 2014. Neither party appeared for the pretrial hearing, nor did the parties file a pretrial conference statement as required by Federal Rule of Civil Procedure 16 and by the Court's February 7, 2013 Pretrial Order and Standing Order. *See* Docket No. 81. The parties did not obtain leave of Court to be excused from filing a pretrial conference statement or attending the pretrial conference.

The Court notes that plaintiff also failed to appear for a November 22, 2013 case management conference as well as a December 13, 2013 hearing before Magistrate Judge Ryu. Judge Ryu issued an Order to Show Cause directing plaintiff to show cause in writing by December 23, 2013, why Judge Ryu should not recommend to this Court that the case be dismissed for failure to prosecute.

Based upon plaintiff's repeated failures to attend scheduled hearings and otherwise comply with Court deadlines, plaintiff is hereby ORDERED TO SHOW CAUSE in writing no later than

1 December 23, 2013, why this Court should not dismiss the case with prejudice for failure to
2 prosecute. See Fed. R. Civ. Proc. 41(b).

3
4 **IT IS SO ORDERED.**

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6 Dated: December 19, 2013



SUSAN ILLSTON
United States District Judge