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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

9 DAVID A. THOMAS,

10 Plaintiff, No. C 11-04420 JSW

11 v.

12 WELLS FARGO BANK, N.A., et al.,

ORDER TO SHOW CAUSE

13 Defendants.

14 /
15 This matter is set for a hearing on March 2, 2012 on the motion to dismiss filed by
16 Defendants. Pursuant to Local Civil Rule of the Northern District 7-3, an opposition or
17 statement of non-opposition to this motion was due to be filed and served by December 6 2011.
18 To date, Plaintiff has not filed an opposition or statement of non-opposition.

19 Plaintiff is HEREBY ORDERED TO SHOW CAUSE (“OSC”) in writing, by **January**
20 **18, 2012**, why the pending motion to dismiss should not be granted in light of his failure to file
21 a timely opposition or statement of non-opposition. If Plaintiff seeks to file a substantive
22 response to Defendants’ motion, Plaintiff must demonstrate good cause for failing to file his
23 opposition brief in a timely fashion. In his response to this OSC, Plaintiff is also directed to
24 show cause why this case should not be dismissed for failure to prosecute. Plaintiff is
25 admonished that his failure to respond this Order by **January 18, 2012**, will result in a
26 dismissal of this action.

27 If Plaintiff seeks to file a substantive response to Defendants’ motion and demonstrates
28 good cause for his delay, the Court will provide Defendants an opportunity to file a reply brief.

1 If Plaintiff fails to file a response to this Order to Show Cause by **January 18, 2012**, the
2 Court shall dismiss this case without prejudice without further notice to Plaintiff. The Court
3 advises Plaintiff that the Handbook for Pro Se Litigants, contains helpful information about
4 proceeding without an attorney, is available through the Court's website or in the Clerk's office.
5 The Court also advises Plaintiff that he also may wish to seek assistance from the Legal Help
6 Center. Plaintiff may call the Legal Help Center at 415-782-9000, extension 8657, or sign up
7 on the 15th Floor of the Courthouse, Room 2796, for a free appointment with an attorney who
8 may be able to provide basic legal help, but not legal representation.

9 **IT IS SO ORDERED.**

10 Dated: January 5, 2012



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

THOMAS et al.

Case Number: CV11-04420 JSW

Plaintiff,

CERTIFICATE OF SERVICE

V.

WELLS FARGO BANK, N.A. et al,

Defendant.

1

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

13 That on January 5, 2012, 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
depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office
delivery receptacle located in the Clerk's office.

17 David A. Thomas
19500 Mount Jasper Drive
18 Castro Valley, CA 94552

20 | Dated: January 5, 2012

Jennifer Ottolini

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