

1 UNITED STATES DISTRICT COURT

2 Northern District of California

3 LYNN KIM; CHUNG FREEMAN,

No. C 11-5688 MEJ

4 Plaintiffs,

ORDER TO SHOW CAUSE

5 v.

6 SELECT PORTFOLIO SERVICING, INC., et
al.,7 Defendants.
8 _____/

9 On December 5, 2011, the Defendants in the above-captioned matter filed a motion to
10 dismiss, with a noticed hearing date of January 19, 2012. Dkt. No. 5. However, Plaintiffs failed to
11 file an opposition pursuant to Civil Local Rule 7. Thus, on December 22, 2011, Defendants filed a
12 notice of Plaintiffs' failure to oppose their motion and requested that the Court grant the motion to
13 dismiss. Dkt. No. 11. One week later and two weeks after the deadline under Local Rule 7, without
14 leave of the Court, Plaintiffs filed an opposition, with no explanation for their failure to comply with
15 the deadline. Plaintiffs' disregard of the Court's procedural rules is troubling, even more so given
16 that they are represented by counsel. Accordingly, the Court hereby VACATES the January 19,
17 2012 hearing and ORDERS Plaintiffs Lynn Kim and Chung Freeman to show cause why sanctions
18 should not be imposed failure to comply with court deadlines. Plaintiffs shall file a declaration by
19 January 5, 2012. If Plaintiffs file a responsive declaration, the Court shall either issue an order
20 based on the declaration or conduct an order to show cause hearing on January 19, 2012 at 10:00
21 a.m. in Courtroom B, 15th Floor, 450 Golden Gate Avenue, San Francisco, California. If Plaintiffs
22 fail to file a responsive declaration, Plaintiffs are hereby informed that the Court may dismiss the
23 case without a hearing. Thus, it is imperative that Plaintiffs file a written response by the deadline
24 above.

25 **IT IS SO ORDERED.**26
27 Dated: December 30, 201128 

Maria-Elena James
Chief United States Magistrate Judge