

1 UNITED STATES DISTRICT COURT
2 Northern District of California

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4 MICHAEL A. VILLALOBOS,
5 Plaintiff,

No. C 12-138 MEJ

ORDER TO SHOW CAUSE

6 v.

7 TOM J. VILSACK,

8 Defendant.

9 This matter is currently scheduled for a Case Management Conference on August 22, 2013.
10 However, on August 15, Defendant Tom Vilsack filed a Case Management Statement, in which
11 Defendant's counsel states that she has been unable to contact Plaintiff Michael Villalobos. Dkt.
12 No. 58. Plaintiff has not filed any statement of his own and, on July 3, 2013, the Court granted his
13 counsel's motion to withdraw as counsel of record. Dkt. No. 56. In their Motion, counsel stated that
14 Plaintiff breached an agreement as to the payment of fees and costs and had made it unreasonably
15 difficult for counsel to carry out their employment effectively. Dkt. No. 55. Plaintiff filed no
16 response to the Motion and he has made no appearance in this matter since the Court granted
17 counsel's Motion. Accordingly, the Court hereby VACATES the August 22 Case Management
18 Conference and ORDERS Plaintiff Michael Villalobos to show cause why this case should not be
19 dismissed for failure to prosecute and failure to comply with court deadlines. Plaintiff shall file a
20 declaration by September 5, 2013. If a responsive declaration is filed, the Court shall either issue an
21 order based on the declaration or conduct a hearing on September 19, 2013 at 10:00 a.m. in
22 Courtroom B, 15th Floor, 450 Golden Gate Avenue, San Francisco, California. Notice is hereby
23 provided to Plaintiff that the Court may dismiss the case without a hearing if no responsive
24 declaration is filed. Thus, it is imperative that Plaintiff file a written response by the deadline above.

25 **IT IS SO ORDERED.**

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27 Dated: August 16, 2013

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Maria-Elena James
United States Magistrate Judge

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL A. VILLALOBOS,

No. C 12-00138 MEJ

Plaintiff(s),

CERTIFICATE OF SERVICE

v.

TOM J. VILSACK,

Defendant(s).

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

That on August 16, 2013, I SERVED a true and correct copy(ies) of the attached, by placing 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.

Michael A. Villalobos
2885 South Bradley Road
Santa Maria, CA 93455

Dated: August 16, 2013

Richard W. Wiekling, Clerk
By: Rose Maher, Deputy Clerk