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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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8 LUIS A. ABEA,

No. C -12-00317 EDL

9 Plaintiff,

ORDER TO SHOW CAUSE

10 v.

11 ALCATRAZ CRUISES,

12 Defendant.
13 _____/

14 In this employment discrimination case, Plaintiff, who is representing himself, filed a form
15 complaint alleging that Defendant unlawfully terminated him. On May 17, 2012, Defendant filed a
16 motion to dismiss, alleging that Plaintiff has failed to state a prima facie case for employment
17 discrimination. On June 26, 2012, the Court issued an order granting Defendant's motion to dismiss
18 with leave to amend. In that Order, the Court stated that: "If Plaintiff fails to file an amended
19 complaint by July 20, 2012, or otherwise fails to prosecute this case, the Court will dismiss this case
20 with prejudice." See June 26, 2012 Order at 3. On July 20, 2012, the Court approved the parties'
21 stipulation to extend time to August 17, 2012 for Plaintiff to file an amended complaint to allow the
22 parties to finalize their settlement agreement. See Docket No. 29.

23 Plaintiff has failed to file an amended complaint as ordered by the Court. Defendant's
24 counsel has reported to the Court that she attempted to contact Plaintiff to execute the settlement
25 agreement, but he has not responded to her. Accordingly, Plaintiff is hereby ordered to show cause
26 why this case should not be dismissed for failure to prosecute pursuant to Federal Rule of Civil
27 Procedure 41(b). Plaintiff's written response to this Order to Show Cause shall be filed no later than
28 April 22, 2013. A show cause hearing is scheduled for May 7, 2013 at 9:00 a.m. in Courtroom E,
15th floor, 450 Golden Gate Avenue, San Francisco, CA. It is further ordered that if Plaintiff fails to

1 file a response to this Order to Show Cause by April 22, 2013, the Court will dismiss this case with
2 prejudice.

3 IT IS SO ORDERED.

4 Dated: April 8, 2013

Elizabeth D. Laporte

ELIZABETH D. LAPORTE
United States Magistrate Judge

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