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

WILLIAM B. BANER,

Plaintiff,

v.

WELLS FARGO BANK,

Defendant.

No. C -12-01189 EDL

**ORDER TO SHOW CAUSE**

On July 17, 2012, the Court held a hearing on Defendant's Motion to Dismiss Plaintiff's complaint. Plaintiff had not filed an opposition to the Motion to Dismiss, but Plaintiff's counsel appeared at the hearing. At the hearing, the Court indicated that it intended to grant the motion on the merits, and Plaintiff agreed to file an amended complaint no later than July 31, 2012. On July 23, 2012, the Court issued an Order granting Defendant's Motion to Dismiss, and stating that an amended complaint was due no later than July 31, 2012. Plaintiff did not file an amended complaint, and has not otherwise communicated with the Court regarding the amended complaint.

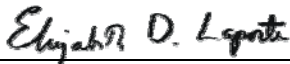
Accordingly, Plaintiff is hereby ordered to show cause why this case should not be dismissed for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). Plaintiff's written response to this Order to Show Cause shall be due no later than August 24, 2012. A show cause hearing is scheduled for September 4, 2012 at 2:00 p.m. in Courtroom E, 15th floor, 450 Golden Gate Avenue, San Francisco, CA. It is further ordered that if Plaintiff fails to file a response to this Order to Show Cause by August 24, 2012, the Court will dismiss this action for failure to

**United States District Court**  
For the Northern District of California

1 prosecute.

2 IT IS SO ORDERED.

3 Dated: August 10, 2012

  
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ELIZABETH D. LAPORTE  
United States Magistrate Judge

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