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

RHONDA MINTER, GUARDIAN AD
LITEM, et al.,

Plaintiffs,

v.

CITY OF SAN PABLO, et al.,

Defendants.

Case No.: C12-2905 JSC

**ORDER TO SHOW CAUSE WHY CASE
SHOULD NOT BE DISMISSED**

Plaintiffs filed this wrongful death action in Contra Costa Superior Court, which Defendants removed to federal court pursuant to 28 U.S.C. §§ 1331 and 1441. (Dkt. No. 1.) Defendants filed a motion to dismiss on September 7, 2012. (Dkt. No. 14.) The motion is scheduled for a hearing before the Court on October 25, 2012. Under Local Rule 7-3(a)-(b), a party must file either an opposition or a statement of non-opposition to a motion to dismiss “not more than 14 days after the motion is served and filed.” At this time, Plaintiffs have not filed either with the Court and have not otherwise communicated with the Court.

Accordingly, Plaintiffs shall file such a response to the motion on or before October 9, 2012. If Plaintiffs file an opposition by that date, Defendants shall file their reply, if any, on or before October 17, 2012. Plaintiffs are warned that their failure to file a response as this Order requires may lead to dismissal of this action pursuant to Federal Rule of Civil Procedure 41 for failure to prosecute.

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IT IS SO ORDERED.

Dated: October 3, 2012

JACQUELINE SCOTT CORLEY
UNITED STATES MAGISTRATE JUDGE