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

FRANKLIN S. CAMILLO, et al.,

Plaintiffs,

v.

WAUSAU MORTGAGE CORPORATION, et
al.,

Defendants.

No. C 12-03132 JSW

**ORDER TO SHOW CAUSE AND
VACATING HEARINGS ON
MOTIONS TO DISMISS**

On July 11, 2012, Defendants Mortgage Electronic Registration Systems, Inc., U.S. Bank, N.A., Capital One, N.A., CCB LIBOR Series 2005-2 Trust, Chevy Chase Funding LLC Mortgage Back Certificates, Series 2005-2, Jeffrey R. Huston, and Joseph P. Eger filed a motion to dismiss, which is noticed for a hearing before this Court on September 14, 2012. Defendants served that motion on Plaintiffs, who are proceeding *pro se*, by mail on July 11, 2012. Pursuant to Northern District Civil Local Rules (“Local Rules”) 7-3(a) and 5-5(a), Plaintiffs’ opposition brief was due on July 30, 2012. The Court has not received an opposition brief from Plaintiffs.

On July 16, 2012, Defendant T.D. Service Company filed a motion to dismiss, which also is noticed for a hearing on September 14, 2012, and it served a copy of the motion on Plaintiffs by mail on that same date. Pursuant to Local Rules 7-3(a) and 5-5(a), Plaintiffs’ opposition brief to this motion was due on August 2, 2012. The Court has not received an opposition brief from Plaintiffs.

1 Accordingly, Plaintiffs are HEREBY ORDERED to show cause why this case should
2 not be dismissed for failure to prosecute. Plaintiffs' response to the Order to Show Cause must
3 be filed and served on all Defendants by no later than **August 17, 2012.**

4 If Plaintiffs seek to file belated opposition briefs to the pending motions, they must
5 submit a request demonstrating good cause for their failure to file timely opposition briefs and
6 must include proposed opposition briefs with that request. Any request for leave to file belated
7 opposition briefs also must be filed and served on Defendants by August 17, 2012.

8 If the Court grants Plaintiffs' leave to late file opposition briefs, it shall issue a further
9 order setting a deadline by which Defendants may file their replies. The Court VACATES the
10 hearing dates scheduled for September 14, 2012, which shall be reset if the Court finds a
11 hearing is necessary.

12 **If Plaintiffs fail to respond to this Order to Show Cause by August 17, 2012, or if**
13 **they fail to file a request for leave to file untimely opposition briefs with proposed briefs**
14 **by August 17, 2012, the Court SHALL dismiss this case for failure to prosecute without**
15 **further notice to Plaintiffs.**

16 The Court also hereby advises Plaintiffs that Handbook for Pro Se Litigants, which is
17 available through the Court's website or in the Clerk's office, contains helpful information
18 about proceeding without an attorney. The Court also advises Plaintiffs that they also may wish
19 to seek assistance from the Legal Help Center. Plaintiffs may call the Legal Help Center at
20 415-782-9000, extension 8657, or sign up on the 15th Floor of the Courthouse, Room 2796, for
21 a free appointment with an attorney who may be able to provide basic legal help, but not legal
22 representation.

23 **IT IS SO ORDERED.**

24
25 Dated: August 6, 2012



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

FRANKLIN S. CAMILLO, ET AL. et al,
Plaintiff,

Case Number: CV12-03132 JSW

CERTIFICATE OF SERVICE

v.

WAUSAU MORTGAGE CORPORATION,
ET AL. et al,
Defendant.

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 6, 2012, 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.

Celina Salazar Camillo
Franklin A Camillo
510 Vista Spring Court
Milpitas, CA 95035



Dated: August 6, 2012

Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk