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UNITED STATES DISTRICT COURT
Northern District of California
San Francisco Division

CRAIG YATES,

No. C 12-03459 LB

Plaintiff,

**ORDER TO SHOW CAUSE RE:
FAILURE TO PROSECUTE**

v.

FAIRVIEW MARKET, et al.,

Defendants.

Plaintiff filed a complaint against Defendants on July 2, 2012. Complaint, ECF No. 1. The ADA Scheduling Order required Plaintiff to complete service on Defendants by August 31, 2012. Defendants Fairview Market, Inc. and Rong Xu Fang appeared in the case and consented to the undersigned's jurisdiction. *See* ECF Nos. 5-8. Defendant Sherwin Chew has not appeared and the record does not indicate that he has been served. *See generally* Docket. The case was referred to mediation in October 2012, but the case has since come to a standstill. *See generally* Docket. The deadlines for this ADA case also have passed. *See* ADA Scheduling Order, ECF No. 2.

Accordingly, the court **ORDERS** Plaintiff to show cause why this action should not be dismissed for failure to prosecute and why Defendant Sherwin Chew should not be dismissed for failure to effect service. Plaintiff **SHALL** do so by filing a written response no later than Monday September 23, 2013. The court **SETS** a show cause hearing for **Thursday, September 26, 2013** at **11:00 a.m.** in Courtroom C, 15th Floor, United States District Court, 450 Golden Gate Avenue, San Francisco, California, 94102.

IT IS SO ORDERED.

Dated: September 16, 2013



 LAUREL BEELER
United States Magistrate Judge