

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

THE REDD GROUP, LLC, et al.,

Plaintiffs,

v.

THE GLASS GURU FRANCHISE  
SYSTEMS, INC., et al.,

Defendants.

Case No. 12-cv-04070-JST

**ORDER TO SHOW CAUSE WHY THE  
COURT SHOULD NOT IMPOSE  
SANCTIONS FOR PLAINTIFF'S  
FAILURE TIMELY TO FILE SECOND  
AMENDED COMPLAINT**

**NOTICE TO PLAINTIFF OF ORDER TO SHOW CAUSE WHY THE COURT  
SHOULD NOT IMPOSE SANCTIONS:**

On July 7, 2013, the Court granted in part and denied in part Defendant's motion to dismiss Plaintiff's First Amended Complaint. Order, ECF No. 45. The Court granted with leave to amend Defendant's Motion to Dismiss Plaintiffs' contributory infringement claim. The Court Ordered Plaintiff to file an amended complaint or notice of submission to the Court's dismissal of that claim within thirty days, and warned Plaintiff that failure to do so could result in sanctions. Order p. 10 n. 2 ("Failure to file either an amended complaint or a notice of submission to the Court's dismissal of those claims may constitute violation of a court order, subject to appropriate sanctions up to and including involuntary dismissal of the relevant causes of action.").

On July 19, 2013, the Court stayed this action for ninety days pursuant to a stipulated request, so the parties could engage in mediation. ECF No. 48. The parties had requested that the Court continue the deadline for Plaintiff to file its Second Amended Complaint to November 5, 2013. ECF No. 47. The Court ordered instead that Plaintiff file its Second Amended Complaint by October 16, 2013. ECF No. 48 p. 1. Plaintiff has not filed one.

Accordingly, the Court hereby ORDERS Plaintiff to show cause why the Court should not dismiss this action, or impose other appropriate sanctions, for failure to comply with a Court

United States District Court  
Northern District of California

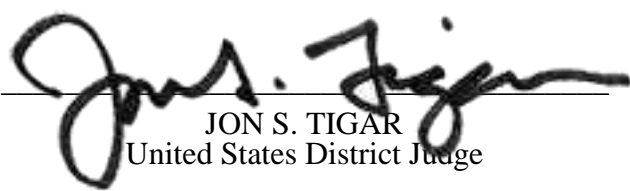
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Order, pursuant to Federal Rule of Civil Procedure 41(b). See Yourish v. California Amplifier,  
191 F.3d 983, 986 (9th Cir. 1999). Plaintiff shall respond to this Order in writing by November 5,  
2013, by either (1) filing a Second Amended Complaint or (2) demonstrating good cause for  
Plaintiff's failure to file a Second Amended Complaint.

Failure to respond to this Order will constitute an additional ground for the imposition of  
appropriate sanctions, including involuntarily dismissal with prejudice.

**IT IS SO ORDERED.**

Dated: October 17, 2013



JON S. TIGAR  
United States District Judge