

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

FABIAN GAGAZA, et al.,

No. C 12-4074 MEJ

Plaintiffs,

**ORDER TO SHOW CAUSE**

v.

WELLS FARGO BANK, N.A., et al.,

Defendants.

---

On August 9, 2012, the Defendant(s) in the above-captioned matter filed a motion to dismiss, with a noticed hearing date of September 20, 2012. Dkt. No. 7. However, Plaintiff failed to file an opposition pursuant to Civil Local Rule 7. Accordingly, the Court hereby VACATES the September 20 hearing and ORDERS Plaintiffs Fabian and Lourdes Gagaza to show cause why this case should not be dismissed for failure to prosecute and failure to comply with court deadlines. Plaintiff shall file a declaration by September 13, 2012. If Plaintiff files a responsive declaration, the Court shall either issue an order based on the declaration or conduct a hearing on September 27, 2012 at 10:00 a.m. in Courtroom B, 15th Floor, 450 Golden Gate Avenue, San Francisco, California. Plaintiff is hereby informed that the Court may dismiss the case without a hearing if Plaintiff fails to file a responsive pleading. Thus, it is imperative that Plaintiff file a written response by the deadline above.

**IT IS SO ORDERED.**

Dated: August 29, 2012

  
\_\_\_\_\_  
Maria-Elena James  
Chief United States Magistrate Judge

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  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

FABIAN GAGAZA,

No. C 12-04074 MEJ

Plaintiff(s),

**CERTIFICATE OF SERVICE**

v.

WELLS FARGO BANK NA,

Defendant(s).

\_\_\_\_\_/

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 29, 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.

Fabian Gagaza  
Lourdes Gagaza  
165 Serravista Avenue  
Daly City, CA 94015

Dated: August 29, 2012

Richard W. Wieking, Clerk  
By: Rose Maher, Deputy Clerk