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

IRA VASS,

Plaintiff,

No. C 12-04094 WHA

v.

THIRD ORDER TO SHOW CAUSE

JP MORGAN CHASE NA,


Defendant.

Defendant JPMorgan Chase Bank, N.A., erroneously sued as JP Morgan Chase, NA, filed a motion to dismiss pro se plaintiff Ira Vass' complaint on September 4, 2012. Pursuant to Civil Local Rule 7-3, plaintiff's opposition or statement of non-opposition thereto was due September 18. None was filed. By order dated October 4, plaintiff was ordered to show cause why her claims against defendant should not be dismissed for failure to prosecute (Dkt. No. 17). Plaintiff's response was due by October 15. No response was received. A second order to show cause issued, the response to which was due by noon on October 29 (Dkt. No. 20). That date has come and gone, and no response has been received. Both orders to show cause warned that if no response was received, the motion to dismiss may be granted.

Defendant's motion to dismiss has been pending for nearly two months. Plaintiff will be given one final opportunity to respond. Plaintiff's response is due by **NOON ON NOVEMBER 15**. If no response is filed, defendant's motion to dismiss may be granted and/or the action may be dismissed for failure to prosecute. The hearing, currently set for November 8, 2012, is hereby **VACATED**. The case management conference, currently set for the same date, shall be continued to **11 A.M. ON NOVEMBER 29**.

IT IS SO ORDERED.

Dated: October 31, 2012.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE