

1
2 UNITED STATES DISTRICT COURT
3 Northern District of California
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5 CISCO VILLALTA,

No. C 12-4717 MEJ

6 Plaintiff,

ORDER TO SHOW CAUSE

7 v.

8 BANK OF AMERICA CORP,

9 Defendant.
_____ /

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11 On September 17, 2012, Defendant Bank of America Corporation filed a Motion to Dismiss,
12 with a noticed hearing date of October 25, 2012. Dkt. No. 6. Due to service issues, Defendant
13 subsequently requested that the hearing be continued to November 15 to allow Plaintiff Cisco
14 Villalta additional time to respond. The Court granted Defendant's request and ordered Plaintiff to
15 file any opposition by October 25, 2012. Dkt. No. 12. However, Plaintiff failed to file an opposition
16 by October 25. Accordingly, the Court hereby VACATES the November 15 hearing and ORDERS
17 Plaintiff Cisco Villalta to show cause why this case should not be dismissed for failure to prosecute
18 and failure to comply with court deadlines. Plaintiff shall file a declaration by November 8, 2012.
19 If a responsive declaration is filed, the Court shall either issue an order based on the declaration or
20 conduct a hearing on November 29, 2012 at 10:00 a.m. in Courtroom B, 15th Floor, 450 Golden
21 Gate Avenue, San Francisco, California. Notice is hereby given to Plaintiff that the Court may
22 dismiss the case without a hearing if no responsive declaration is filed. Thus, it is imperative that
23 Plaintiff file a written response by the deadline above.

24 The December 13, 2012 case management conference and related deadlines are VACATED.

25 **IT IS SO ORDERED.**

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27 Dated: October 29, 2012

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Maria-Elena James
Chief United States Magistrate Judge