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

SHERENE RANDLE,

Plaintiff,

No. C 12-06031 JSW

v.

ORDER TO SHOW CAUSE

WELLS FARGO BANK NA,

Defendant.

_____ /

On December 17, 2012, Defendant Wells Fargo Bank, N.A. (“Wells Fargo”) filed a motion to dismiss, which had been noticed for hearing on January 24, 2013 before Magistrate Judge Ryu. Pursuant to Northern District Local Rule 7-3(a), Plaintiff’s opposition was due on December 31, 2012. Plaintiff did not file an opposition brief on that date. On January 4, 2013, this case was reassigned to the undersigned Judge. On that same date, Wells Fargo re-noticed the motion for a hearing on February 8, 2013. On January 7, 2013, Wells Fargo filed a notice of non-opposition in lieu of a reply brief.

Plaintiff is **HEREBY ORDERED TO SHOW CAUSE** why this case should not be dismissed for failure to prosecute. If Plaintiff seeks to file a belated opposition brief, she must file a request demonstrating good cause along with her proposed opposition. Plaintiff’s response to this Order to Show Cause and any request to file a belated opposition brief must be filed and served by no later than January 15, 2013. If Plaintiff seeks to file an opposition brief, and if the Court grants that request, it shall afford Defendant additional time to file a reply. Pending a further order from the Court, the hearing remains on calendar on February 8, 2013.

United States District Court
For the Northern District of California

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If Plaintiff fails to file a response to this Order to Show Cause by January 15, 2013 and also fails to file a request to file a belated opposition brief by that date, the Court shall dismiss this case for failure to prosecute, pursuant to Federal Rule of Civil Procedure 41(b), without further notice to the Plaintiff.

IT IS SO ORDERED.

Dated: January 8, 2013



JEFFREY S. WILENTZ
UNITED STATES DISTRICT JUDGE