

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
San Francisco Division

STEVEN VACHANI, et al.,
Plaintiffs,
v.
ARTHUR YAKOVLEV, et al.,
Defendants.

Case No. 15-cv-04296-LB

**ORDER TO SHOW CAUSE FOR
FAILURE TO PROSECUTE**

Re: ECF No. 42

This is a defamation suit.¹ Plaintiffs Stephen Vachani and his company, Serendipity Ventures, Inc., claim that the defendants maligned them in internet posts.² They sue for libel and false-light invasion of privacy.³ The defendants were properly served with a summons and the complaint but have neither answered nor otherwise appeared.⁴ The clerk of court entered their default.⁵ The court twice denied the plaintiffs' motion for default judgment, primarily on the ground that the plaintiffs

¹ Complaint-ECF No. 1 at 2.

² *Id.*

³ *Id.* at 7-10.

⁴ *See generally* Docket.

⁵ ECF No. 19.

1 did not show that this court can exercise personal jurisdiction over the defendants.⁶ The court's last
2 order denying default judgment was on December 22, 2016.⁷

3 Thereafter, the plaintiffs filed a motion to continue the case management conference scheduled
4 for January 18, 2017, citing personal difficulties on the part of the plaintiff and counsel.⁸ The court
5 granted the motion and rescheduled the case management conference to February 2, 2017, to allow
6 for the filing of a renewed motion for default judgment.⁹ The motion was never filed. The court
7 then continued the case management conference to March 2, 2017, and asked that counsel file the
8 motion for default judgment no later than February 23, 2017, or declare why a further extension
9 was needed.¹⁰ As of February 27, counsel has had not filed the motion or an update.¹¹

10 The court already has a status hearing set for Thursday, March 2, 2017, at 11 a.m. The court
11 orders the plaintiffs to show cause at that hearing why their case should not be dismissed without
12 prejudice for failure to prosecute it.

13 **IT IS SO ORDERED.**

14 Dated: February 27, 2017



LAUREL BEELER
United States Magistrate Judge

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25 ⁶ ECF Nos. 27, 40.

26 ⁷ ECF No. 40.

27 ⁸ ECF No. 41.

28 ⁹ ECF No. 42.

¹⁰ *See generally* Docket.

¹¹ *Id.*