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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RAYMOND L. HOYT, et al.,
Plaintiffs,
v.
OCWEN LOAN SERVICING, LLC, et al.,
Defendants.

Case No. [15-cv-05422-MEJ](#)

ORDER TO SHOW CAUSE

On December 2, 2015, the Court vacated all pending deadlines in this case and referred the parties to the ADR Department for a telephone conference to assess the case’s suitability for mediation or a settlement conference. Dkt. No. 9. The Court did so based on Plaintiff Raymond Hoyt’s “Request to Expedite Decision on Indigency,” in which he stated the foreclosure sale of Plaintiffs’ residence was scheduled for December 7, 2015. Dkt. No. 7. However, after the referral, the ADR Department tried multiple times to contact Plaintiffs, to no avail. Accordingly, on December 9, 2015, the Court ordered Plaintiffs to call the ADR Department at (415) 522-2199 by December 16, 2015. Dkt. No. 14. The Court advised Plaintiffs that their failure to contact the ADR Department by December 16 may result in the dismissal of their case pursuant to Federal Rule of Civil Procedure 41(b). Plaintiffs have failed to comply with the Court’s Order.

Accordingly, the Court hereby ORDERS Plaintiffs Raymond L. Hoyt and Marjorie A. Hoyt to show cause why this case should not be dismissed for failure to prosecute and failure to comply with court deadlines. Plaintiffs shall file a declaration by December 31, 2015. If a responsive declaration is filed, the Court shall either issue an order based on the declaration or conduct a hearing on January 14, 2016 at 10:00 a.m. in Courtroom B, 15th Floor, 450 Golden Gate Avenue, San Francisco, California. Notice is hereby provided to Plaintiffs that the Court may

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dismiss this case without a hearing if no responsive declaration is filed. Thus, it is imperative that the Court receive a written response by the deadline above.

IT IS SO ORDERED.

Dated: December 17, 2015



MARIA-ELENA JAMES
United States Magistrate Judge

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA

3 RAYMOND L. HOYT, et al.,
4 Plaintiffs,

5 v.

6 OCWEN LOAN SERVICING, LLC, et al.,
7 Defendants.
8

Case No. [15-cv-05422-MEJ](#)

CERTIFICATE OF SERVICE

9
10 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S.
District Court, Northern District of California.

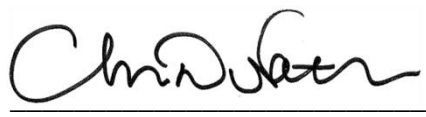
11 That on December 17, 2015, I SERVED a true and correct copy(ies) of the attached, by
12 placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by
13 depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery
receptacle located in the Clerk's office.

14 Marjorie A. Hoyt
15 162 Oakridge Drive
Danville, CA 94506

16 Raymond L. Hoyt
17 162 Oakridge Drive
Danville, CA 94506

18
19
20 Dated: December 17, 2015

21 Richard W. Wieking
22 Clerk, United States District Court

23
24 By: 
25 Chris Nathan, Deputy Clerk to the
26 Honorable MARIA-ELENA JAMES
27
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United States District Court
Northern District of California