1 2 3 4 5 IN THE UNITED STATES DISTRICT COURT 6 7 FOR THE NORTHERN DISTRICT OF CALIFORNIA 8 9 10 ROBERT MCCARTHY, 11 Plaintiff, No. C 16-00759 WHA 12 v. 13 EMERALD INVESTMENTS INC., **ORDER TO SHOW CAUSE** and DOES 1 through 10, inclusive, 14 Defendants. 15 16 This case was called today at 11:00 a.m. for a case management conference, properly 17 noticed, and no one appeared. In addition, the Court notes the file fails to show that service 18 of the summons and complaint has been effected within the time required by the rules. 19 Accordingly, plaintiff is ORDERED TO SHOW CAUSE at 11:00 A.M. ON AUGUST 4, 2016, 20 why this case should not be dismissed for lack of prosecution and failure to timely serve. 21 This showing must be made under oath in a declaration by NOON ON AUGUST 2. If plaintiff 22 fails to file a written response and appear at the hearing, this case will be dismissed. 23 24 IT IS SO ORDERED. 25

Dated: July 21, 2016.

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WILLIAM ALSUP UNITED STATES DISTRICT JUDGE