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

WILLIAM J. WHITSITT,
Plaintiff,
v.
WEST VALLEY STAFFING GROUP, et
al.,
Defendants.

Case No. [16-cv-00797-MMC](#)

**ORDER DISCHARGING ORDER TO
SHOW CAUSE; SETTING ASIDE AND
VACATING ORDER OF DISMISSAL
AND JUDGMENT; RESCHEDULING
CASE MANAGEMENT CONFERENCE**

On March 10, 2017, following plaintiff William J. Whitsitt's failure to appear that date at a regularly scheduled case management conference in the above-titled action, the Court issued an order directing plaintiff to show cause, in writing and no later than March 24, 2017, why said action should not be dismissed for failure to prosecute ("Order to Show Cause"). On March 29, 2017, no response having been received to the Order to Show Cause, the action was dismissed and, on March 30, 2017, judgment thereon was entered.

Later that same date, the Clerk of Court filed plaintiff's "Answer to Show Cause and Notice of Change of Address," in which plaintiff endeavors to explain the reasons for his failure to appear and his failure to timely respond to the Order to Show Cause. The Court finds plaintiff's response, although not a model of clarity as to the chronology of events assertedly affecting plaintiff's ability to comply with the Court's orders, suffices to show good cause for his non-compliance.

Accordingly, the Order to Show Cause is hereby DISCHARGED and the Order of Dismissal and judgment thereon are hereby SET ASIDE and VACATED.


In light of the above, the Initial Case Management Conference in the instant action

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is hereby RESCHEDULED for May 5, 2017 at 10:30 a.m. A Joint Case Management Statement shall be filed no later than April 28, 2017.

IT IS SO ORDERED.

Dated: April 4, 2017


MAXINE M. CHESNEY
United States District Judge