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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

S & P FINANCIAL ADVISORS, et al.,
Plaintiffs,
v.
KREEYAA LLC, et al.,
Defendants.

Case No. [16-cv-03103-SK](#)

SECOND ORDER TO SHOW CAUSE

Regarding Docket Nos. 11, 19, 23, and 27

Plaintiffs S&P Financial Advisors Mansoor Rahmani (collectively, “Plaintiffs”) failed to timely file an opposition to the motion to dismiss filed by Defendants Kreeyaa, LLC, Shashi Kauravlla and Mangootha Kauravlla (collectively, “Defendants”). Therefore, on August 15, 2016, the Court issued an Order to Show Cause (“OSC”) as to why this case should not be dismissed for lack of prosecution or, in the alternative, why Defendants’ motion to dismiss should not be granted as unopposed. If Plaintiffs intended to file untimely an opposition brief, the Court ordered them to submit a request to do so showing good cause for their failure to comply with the deadline required by the Local Rules. In response, Plaintiffs filed an amended complaint without seeking leave of Court and without showing good cause for their failure to comply with the Local Rules. Pursuant to Federal Rule of Civil Procedure 15(a), the time in which Plaintiffs were authorized to file an amended complaint as a matter of course without seeking leave of court had already expired. Moreover, on August 1, 2016, Defendants filed a motion for sanctions pursuant to Federal Rule of Civil Procedure 11. Under Northern District Civil Local Rule 7-3(a), Plaintiffs’ response was due by August 15, 2016. Plaintiffs have missed this deadline as well.

The Court HEREBY ORDERS Plaintiffs to show cause in writing why they should not be sanctioned in the amount of \$1,000 due to their failure to comply with the Federal Rules of Civil Procedure, the Local Rules, and this Court’s Order. Plaintiffs response to this OSC is due by no

1 later than August 25, 2016. Plaintiffs shall also show good cause for their failure to timely file
2 their amended complaint and their failure to seek leave of Court. Finally, if Plaintiffs seek to file
3 untimely an opposition brief to the motion for sanctions, they must submit a request to do so
4 showing good cause for their failure to comply with the deadline required by the Local Rules, and
5 must submit their proposed opposition brief with the request.

6 Finally, if Plaintiffs seek to file an untimely opposition brief, and if the Court grants that
7 request, it shall set a new deadline for Defendants to file a reply brief. The hearing set for
8 September 7, 2016 is VACATED, and may be reset by further Order from this Court. Plaintiffs
9 are admonished that no future failures to comply with deadlines will be excused without a
10 showing of extremely good cause. Moreover, in the future, the Court will not prompt Plaintiff to
11 provide an excuse and offer an opportunity to file an untimely brief. For example, if Plaintiffs fail
12 to oppose a motion, the Court will simply rule on the motion as unopposed.

13 **IT IS SO ORDERED.**

14 Dated: August 18, 2016



SALLIE KIM
United States Magistrate Judge

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