

United States District Court  
Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

PHYLLIS SPARKS-MAGDALUYO, et al.,  
Plaintiffs,  
v.  
NEW PENN FINANCIAL, LLC,  
Defendant.

Case No. [16-cv-04223-RS](#)

**ORDER TO SHOW CAUSE WHY  
ACTION SHOULD NOT BE  
DISMISSED**

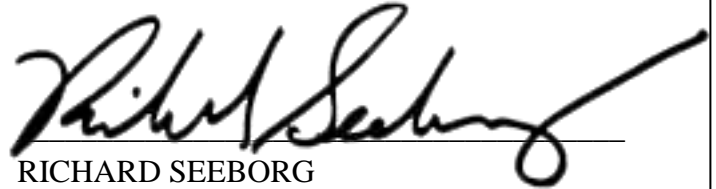
Plaintiffs in this action originally appeared in pro se. Counsel recently filed a notice of appearance in this matter, stating that he represents plaintiff Phyllis Sparks-Magdaluyo. Subsequently counsel filed on behalf of Ms. Sparks-Magdaluyo a notice of dismissal of “the lawsuit.” While is unclear whether counsel also represents plaintiff Melecio Magdaluyo and intended to dismiss the entire action, there is no indication Melecio Magdaluyo is otherwise continuing to prosecute this action.

Accordingly, if Melecio Magdaluyo intends to pursue his claims in this case, whether through counsel or in pro se, no later than November 16, 2018 he must file a written notice so stating. In the event Melecio Magdaluyo does not respond to this order, his claims will be dismissed and the case closed without further notice.

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**IT IS SO ORDERED.**

Dated: October 24, 2018



RICHARD SEEBORG  
United States District Judge