

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

AFSANEH NOZARI, et al.,  
Plaintiffs,  
v.  
WELLS FARGO BANK NA,  
Defendant.

Case No. 16-cv-06135-VC

**ORDER TO SHOW CAUSE**

Re: Dkt. No. 9

Wells Fargo Bank filed a motion to dismiss on November 1, 2016. The plaintiffs' response to that motion was due on November 15, 2016. As of the date of this order, no response has been received from the plaintiffs. Given their failure to file an opposition to the motion to dismiss, the plaintiffs are ordered to show cause why this case should not be dismissed for failure to prosecute under Federal Rule of Civil Procedure 41(b). Additionally, Marc Applbaum, counsel for the plaintiffs, is ordered to show cause why he should not be referred to the Standing Committee on Professional Conduct in light of his deficient performance in this case and others before the Court. Mr. Applbaum and the plaintiffs must file a written response to this order by December 5, 2016. A hearing on the order to show cause will take place on December 8, 2016 at 10 a.m. Mr. Applbaum must appear in person at the hearing.

**IT IS SO ORDERED.**

Dated: November 30, 2016

  
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VINCE CHHABRIA  
United States District Judge