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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANN LEMBERG,
Plaintiff,
v.
JP MORGAN CHASE BANK, N.A.,
Defendant.

Case No.17-cv-05241-JSC

ORDER TO SHOW CAUSE

Re: Dkt. No. 7

Plaintiff filed this personal injury action against Defendant JP Morgan Chase Bank, N.A., in the Superior Court for the County of San Francisco on June 19, 2017. (Dkt. No. 1-1.) Defendant thereafter removed the action to this Court based on diversity jurisdiction under 28 U.S.C. § 1332. (Dkt. No. 1.) Defendant then moved to dismiss the complaint for failure to state a claim under Federal Rule of Civil Procedure 12(b)(6). (Dkt. No. 7.) Plaintiff's opposition to the motion to dismiss was due on September 27, 2017. However, Plaintiff has not filed an opposition or statement of non-opposition and has not otherwise communicated with the Court.

Accordingly, Plaintiff is ORDERED TO SHOW CAUSE as to why this action should not be dismissed for failure to prosecute. *See* Fed. R. Civ. P. 41(b). Plaintiff shall simultaneously show cause and file her opposition or statement of non-opposition to the motion to dismiss on or before October 27, 2017. The October 19, 2017 hearing date for the motion to dismiss is VACATED and will be reset if necessary upon the filing of Plaintiff's opposition. Failure to comply with this Order may result in the dismissal of this action without further notice.

IT IS SO ORDERED.

Dated: October 12, 2017


JACQUELINE SCOTT CORLEY
United States Magistrate Judge

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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Case No. [17-cv-05241-JSC](#)

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on October 12, 2017, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Ann Lemberg
845 Pine Street
San Francisco, CA 94108

Dated: October 12, 2017

Susan Y. Soong
Clerk, United States District Court

By: 
Ada Means, Deputy Clerk to the
Honorable JACQUELINE SCOTT CORLEY