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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

BABATUNDE M. WHITE,

No. C 08-02013 SBA

Plaintiff,

ORDER TO SHOW CAUSE

v.

[Docket No. 11]

GREENWICH INVESTORS XXVI,
LLC,

Defendant.

10 On April 17, 2008, *pro se* plaintiff Babatunde M. White filed suit against defendant
11 Greenwich Investors XXVI, LLC and others. *See* Docket No. 1. On that same date, Babatunde
12 White, as a defendant, removed to federal court a foreclosure action brought against him by
13 Greenwich Investors XXVI, LLC. That case was assigned Case No. 08-2016 and the matter was
14 related to this Court on June 17, 2008. *See* Docket No. 8. Case No. 08-2016 was remanded to state
15 court on July 22, 2008. On July 15, 2008, the Court set a Case Management Conference for
16 September 11, 2008, in Case No. 08-2013. *See* Docket No. 11.

17 The parties failed to file a joint case management conference statement in advance of the
18 conference, as required by the Court's standing order. In addition, on September 11, 2008, Plaintiff
19 did not initiate the case management conference call, and the conference failed to take place.

20 Accordingly, it is ORDERED that:

- 21 (1) Plaintiff shall appear in Courtroom 3 of the United States Courthouse, 1301
22 Clay Street, Oakland, California, on **October 16, 2008, at 4:00 p.m.**, to show
23 cause why the above-captioned case should not be dismissed without
24 prejudice for failure to comply with the Court's order and/or for failure to
25 prosecute.
26 (2) At least ten days prior to the above hearing, Plaintiff must file a "Certificate
27 of Plaintiff" with the Clerk of the Court, to explain why the case should or
28 should not be dismissed for failure to comply with the Court's order and/or
failure to prosecute. The Certificate shall set forth the nature of the cause, its
present status, the reason it has not been brought to trial or otherwise

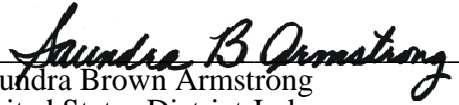
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terminated, any basis for opposition to dismissal by any party, and its expected course if not dismissed.

- (3) Please take notice that this Order requires **both** the specified court appearance **and** the filing of the Certificate of Plaintiff. Failure to fully comply with this order will be deemed sufficient grounds to dismiss the action and the related action.
- (4) Any party to this action or the related action, other than plaintiff, may file a statement, as described in paragraph (2), or appear at the hearing set in paragraph (1), to argue why this action and the related action should not be dismissed.

IT IS SO ORDERED.

September 15, 2008



Sandra Brown Armstrong
United States District Judge

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4 WHITE et al,

5 Plaintiff,

6 v.

7 GREENWICH INVESTORS XXVI, LLC et al,

8 Defendant.
_____ /

Case Number: CV08-02013 SBA

CERTIFICATE OF SERVICE

9
10 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court,
Northern District of California.

11 That on September 16, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said
12 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
13 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located
in the Clerk's office.

14
15 Babatunde White
16 1644 Cipriani Place
17 Brentwood, CA 94513

18 Dated: September 16, 2008

Richard W. Wieking, Clerk
By: LISA R CLARK, Deputy Clerk