

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

4 MATTHEW KINA,

No. C 08-4358 PJH

5 Plaintiff,

**ORDER TO SHOW CAUSE**

6 v.

7 UNITED AIR LINES, INC. and the  
8 BETTY FORD CENTER,

9 Defendant.  
\_\_\_\_\_/

10  
11 Plaintiff in the above-entitled matter having failed to appear at the case management  
12 conference on January 8, 2009, and both defendants having filed a case management conference  
13 statement and having appeared at that proceeding in compliance with the Court's orders,


14 THE COURT hereby issues an ORDER TO SHOW CAUSE why plaintiff's claims should  
15 not be dismissed for failure to prosecute, pursuant to Rule 41(b) of the Federal Rules of Civil  
16 Procedure.

17 The hearing on the ORDER TO SHOW CAUSE will be held on January 22, 2009 at 2:30  
18 p.m. If plaintiff fails to appear, the case shall be dismissed for failure to prosecute.

19 In addition, if plaintiff intends to appear and show cause why this matter should not be  
20 dismissed, in light of the allegations that plaintiff consented to the medical examinations at issue and  
21 to the release of his medical records, plaintiff shall meet and confer with defendant Betty Ford  
22 Center ("BFC") in advance of January 22, 2009, to determine whether the claims against BFC  
23 should be dismissed, so that BFC can avoid the additional expense that will be incurred by its  
24 counsel to fly to San Francisco from Orange County a second time.

25 IT IS SO ORDERED.

26 Dated: January 9, 2009

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28 PHYLLIS J. HAMILTON  
United States District Judge