

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

3
4 ISHMAEL THROWER, on behalf of
5 himself and all others similarly
6 situated,

7 Plaintiff,

8 v.

9 NATIONAL COLLEGIATE ATHLETIC
10 ASSOCIATION, also known as NCAA;
11 and COLLEGIATE LICENSING COMPANY,
12 also known as CLC,

13 Defendants.

No. C 10-632 CW

ORDER DISCHARGING
ORDER TO SHOW
CAUSE WHY
INDIVIDUAL ACTION
SHOULD NOT BE
DISMISSED FOR
FAILURE TO
PROSECUTE
(Docket No. 35)

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On May 17, 2012, the Court ordered Plaintiff Ishmael Thrower to show cause why his individual action should not be dismissed for failure to prosecute, after he failed to appear individually or through counsel for a case management conference held on May 16, 2012.


On May 19, 2012, Plaintiff's counsel filed a declaration, stating that he had believed mistakenly that the case management conference was scheduled for May 23, 2012. Because Plaintiff's failure to appear was the result of his attorney's mistake, the Order to Show Cause is hereby DISCHARGED.

At the case management conference and in the joint case management statement, the parties indicated that Plaintiff has failed to respond to Defendant CLC's document requests, and attorney Jon King of Hausfeld LLP, Interim Co-Lead Class Counsel, has been unable to reach Plaintiff's counsel to address the matter. Plaintiff is reminded of his obligation to participate in

1 discovery in this matter, and Plaintiff's counsel is ORDERED to
2 contact Mr. King within three days of the date of this Order.

3 IT IS SO ORDERED.

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5 Dated: 5/21/2012


6 CLAUDIA WILKEN
7 United States District Judge
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