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3 UNITED STATES DISTRICT COURT
4 FOR THE NORTHERN DISTRICT OF CALIFORNIA
5 OAKLAND DIVISION

6 RONALD DUMAS,
7 Plaintiff,

8 vs.

9 NEW UNITED MOTOR MANUFACTURING,
10 INC., ('NUMMI'), et al.,
11 Defendants.

Case No: C 09-5290 SBA

**ORDER TO SHOW CAUSE RE
DISMISSAL**

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14 On April 12, 2010, the Court issued an order scheduling this case for an initial case
15 management conference to take place on May 5, 2010 at 3:00 p.m. (Docket 14.) The order
16 instructed Plaintiff to set up the call and contact the Court on the scheduled date and time. In
17 violation of the Court's order, Plaintiff failed to do so.

18 Federal Rule of Civil Procedure 41(b) authorizes the Court to dismiss an action where
19 plaintiff has failed to comply with the Federal Rules of Civil Procedure or any order of the
20 court. Ferdick v. Bonzelet, 963 F.2d 1258, 1260 (9th Cir. 1992). This power derives from the
21 district court's inherent authority to control its docket. Id. Because dismissal is a harsh
22 sanction, however, it should only be imposed in extreme circumstances after consideration of
23 less drastic alternatives. Id. Thus, the Court will afford Plaintiff an opportunity to demonstrate
24 why this action should not be dismissed under Rule 41(b). Accordingly,

25 IT IS HEREBY ORDERED THAT by no later than **May 24, 2010**, Plaintiff must file a
26 written statement with the Clerk of the Court to explain why the case should or should not be
27 dismissed and why sanctions should or should not be imposed for lack of prosecution. The
28 statement shall set forth the nature of the cause, its present status, the reason it has not been

1 brought to trial or otherwise terminated, any basis for opposition to dismissal by any party, and
2 its expected course if not dismissed. FAILURE TO FULLY COMPLY WITH THIS ORDER
3 WILL BE DEEMED SUFFICIENT GROUND TO DISMISS THE ACTION.

4 IT IS SO ORDERED.

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6 Dated: May 14, 2010


SAUNDRA BROWN ARMSTRONG
United States District Judge

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

RONALD DUMAS et al,
Plaintiff,

v.

NEW UNITED MOTOR MANUFACTURING ,
INC et al,
Defendant.

_____ /

Case Number: CV09-05290 SBA

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 May 17, 2010, 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.

Ronald Dumas
942 91st Avenue
Oakland, CA 94603

Dated: May 17, 2010

Richard W. Wieking, Clerk

By: LISA R CLARK, Deputy Clerk