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United States District Court
Northern District of California

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

**FIDELITY NATIONAL TITLE INSURANCE
COMPANY, et al,**

Plaintiffs,

vs.

**JAMES C. CASTLE AKA J. CHRISTOPHER
CASTLE, et al,**

Defendants.

Case No.: 11-CV-896 YGR

**ORDER TO SHOW CAUSE RE: DISMISSAL OF
CROSS-CLAIMS OF PEARSON PROPERTIES,
INC. DBA PRUDENTIAL CALIFORNIA REALTY**

**TO CROSS-COMPLAINANT PEARSON PROPERTIES, INC. DBA PRUDENTIAL CALIFORNIA
REALTY AND ITS COUNSEL OF RECORD:**

You are **ORDERED TO SHOW CAUSE** why your cross-complaint against cross-defendants Dabelich & Dabelich dba Round Up Realty, and Zelimir Dabelich should not be dismissed. You are directed to file a written response concerning the status of the claims and your plan for resolution of the claims no later than **October 13, 2015**. Failure to file a written response by that date will result in dismissal of your cross-claims against cross-defendants Dabelich & Dabelich dba Round Up Realty, and Zelimir Dabelich (collectively, “the Dabeliches”).

The Court has issued two orders requiring cross-complainant Pearson Properties Inc. dba Prudential California Realty (“Prudential”) to update the Court as to the status of its cross-complaint against the Dabeliches. (Dkt. No. 819, 825.) Prudential has failed to respond to either order.

Prudential sought and was granted entry of default as to the Dabeliches. (Dkt. Nos. 537, 540, 547.) Zelimir Dabelich filed a “Notice of Conditional Acceptance and Offer to Settle” on November 25, 2013. (Dkt. No. 556.) Prudential filed no response to that Notice.

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Although Prudential has dismissed other cross-defendants (see Dkt. Nos. 790, 799), no dismissal or default judgment motion has been filed by Prudential as to the Dabeliches. Prudential has dismissed all other cross-defendants (*see* Dkt. Nos. 790, 799).

Absent some indication that Prudential intends to pursue its claims against these defaulted cross-defendants, the Court will dismiss the cross-claims against the Dabeliches for failure to prosecute.

IT IS SO ORDERED.
Date: September 23, 2015


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE