

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SHAO Q. XIE,

No. C-13-00401 DMR

Plaintiff,

**ORDER TO SHOW CAUSE**

v.

MF FUND II LP, et al.

Defendants.

Defendants Craig Lipton and MF Fund II, LP have filed a Motion to Dismiss [Docket No. 6] that is set for a hearing on May 9, 2013. Pursuant to Civil Local Rule 7-3, any brief in opposition to Defendants' Motion was due on April 5, 2013, but no such opposition has been received. Plaintiff Shao Q. Xie is ordered to respond by April 21, 2013, and show cause for Plaintiff's failure to respond to the motion in accordance with Civil Local Rule 7-3(a) or alternatively to file a statement of nonopposition to the motion as required by Civil Local Rule 7-3(b). This order to show cause does not constitute permission to file a late opposition. The hearing on May 9, 2013 is VACATED. A new hearing shall be noticed by the court if necessary. If Plaintiff does not respond by April 21, 2013, Defendant's motion may be granted and the case may be dismissed for Plaintiff's failure to prosecute.

In addition, Plaintiff is ordered to file any proofs of service by April 21, 2013 so that the court may determine which of the defendants have been served.

IT IS SO ORDERED.

Dated: April 12, 2013



\_\_\_\_\_  
DONNA M. RYU  
United States Magistrate Judge