

1
2 UNITED STATES DISTRICT COURT
3 FOR THE NORTHERN DISTRICT OF CALIFORNIA
4 OAKLAND DIVISION

5 JAMES FORKUM,

6 Plaintiff,

7 vs.

8 CO-OPERATIVE ADJUSTMENT BUREAU,
9 INC.,

10 Defendant.

Case No: C 13-0811 SBA

**ORDER TO SHOW CAUSE RE
DISMISSAL**

11
12 On March 28, 2013, the Court scheduled the initial Case Management Conference
13 for May 23, 2013. Dkt. 9. The conference was then continued to May 31, 2013. However,
14 since no Joint Case Management Statement was filed prior to the Case Management
15 Conference, as ordered, the Court continued the conference to July 3, 2013. Dkt. 18. The
16 Court directed the parties to file their Joint Case Management Conference Statement by no
17 later June 26, 2013. Dkt. 18. As before, however, no statement was filed.

18 The failure to comply with the Federal Rules of Civil Procedure, the Local Rules of
19 the Court or any Court Order is grounds for dismissal of this action under Federal Rule of
20 Civil Procedure 41(b). See Ferdik v. Bonzelet, 963 F.2d 1258, 1260 (9th Cir. 1992).

21 Accordingly,

22 IT IS HEREBY ORDERED THAT:

23 1. The parties shall show cause why the instant action should not be dismissed
24 under Rule 41(b) for failure to comply with a Court order. Within seven (7) days of the
25 date this order is filed, the parties shall file a Certificate of Counsel to explain why the case
26 should or should not be dismissed. The Certificate shall set forth the nature of the cause, its
27 present status, the reason it has not been brought to trial or otherwise terminated, any basis
28 for opposing dismissal and its expected course if not dismissed. FAILURE TO FULLY

1 COMPLY WITH THIS ORDER WILL BE DEEMED SUFFICIENT GROUNDS TO
2 DISMISS THE ACTION, WITHOUT FURTHER NOTICE.

3 2. The Case Management Conference scheduled for July 3, 2013 is VACATED.
4 In the event the action is not dismissed, the parties shall appear for a telephonic Case
5 Management Conference on September 11, 2013 at 2:30 p.m. Prior to the date scheduled
6 for the conference, the parties shall meet and confer and prepare a joint Case Management
7 Conference Statement which complies with the Standing Order for All Judges of the
8 Northern District of California and the Standing Orders of this Court. Plaintiff shall
9 assume responsibility for filing the joint statement no less than seven (7) days prior to the
10 conference date. Plaintiff's counsel is to set up the conference call with all the parties on
11 the line and call chambers at (510) 637-3559. NO PARTY SHALL CONTACT
12 CHAMBERS DIRECTLY WITHOUT PRIOR AUTHORIZATION OF THE COURT.

13 IT IS SO ORDERED.

14 Dated: July 2, 2013


SAUNDRA BROWN ARMSTRONG
United States District Judge

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