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

VANCE S. ELLIOTT,

Plaintiff,

No. C 14-02678 JSW

v.

DEPARTMENT OF VETERANS,

**ORDER TO SHOW CAUSE**

Defendant.

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This matter is set for a hearing on September 5, 2014 on the motion to dismiss filed by defendant United States Department of Veterans Affairs. Pursuant to Local Civil Rule of the Northern District 7-3, plaintiff Vance S. Elliot's opposition or statement of non-opposition was due to be filed and served by July 31, 2014. To date, Plaintiff has not filed any opposition or statement of non-opposition.

Plaintiff is **HEREBY ORDERED TO SHOW CAUSE** ("OSC") in writing, by August 20, 2014, why the pending motion to dismiss should not be granted in light of his failure to file a timely opposition or statement of non-opposition. If Plaintiff seeks to file a substantive response to the motion to dismiss, Plaintiff must demonstrate good cause for failing to file his opposition brief in a timely fashion. In his response to this OSC, Plaintiff is also directed to show cause why this case should not be dismissed for failure to prosecute. Plaintiff is admonished that his failure to respond this Order by August 20, 2014, will result in a dismissal of this action without further notice.

If Plaintiff seeks to file a substantive response to the motion to dismiss and demonstrates good cause for his delay, the Court will provide Defendant with an opportunity to file a revised

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reply brief. Moreover, if Plaintiff seeks to file a substantive response to the motion to dismiss and demonstrates good cause for his delay, the Court will continue the hearing on the motion to dismiss.

**IT IS SO ORDERED.**

Dated: August 11, 2014

  
\_\_\_\_\_  
JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE

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

5 VANCE S ELLIOTT et al,  
6 Plaintiff,

Case Number: CV14-02678 JSW

**CERTIFICATE OF SERVICE**

7 v.


8 DEPARTMENT OF VETERANS et al,  
9 Defendant.  
10 \_\_\_\_\_/

11 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S.  
12 District Court, Northern District of California.

13 That on August 11, 2014, I SERVED a true and correct copy(ies) of the attached, by  
14 placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter  
15 listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an  
16 inter-office delivery receptacle located in the Clerk's office.

17 Vance S. Elliott  
18 640 Eddy Street  
19 Room 219  
20 San Francisco, CA 94109

21 Dated: August 11, 2014

  
Richard W. Wieking, Clerk  
By: Jennifer Ottolini, Deputy Clerk