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

DAVID K. ENG,

Plaintiff,

No. C 14-04626 JSW

v.

JPMORGAN CHASE BANK, N.A., AS  
ACQUIRER OF CERTAIN ASSETS AND  
LIABILITIES OF WASHINGTON MUTUAL  
BANK, et al.,

Defendants.

**ORDER TO SHOW CAUSE AND  
VACATING HEARING**

On October 23, 2014, Defendant JP Morgan Chase Bank (“Defendant”) filed a motion to dismiss. After the case was reassigned to the undersigned Judge, Defendant re-noticed the motion for a hearing on December 12, 2014. Plaintiff is proceeding *pro se* and is not a registered e-filer. Under the Northern District Civil Local Rules, Plaintiff’s opposition would have been due on November 10, 2014. *See* N.D. Civ. L.R. 7-3(a).

Plaintiff did not file an opposition by that date, and Defendant has filed a notice of non-opposition. In addition, Plaintiff has not made an appearance since Defendant removed the matter to this Court. Accordingly, Plaintiff is **HEREBY ORDERED TO SHOW CAUSE** why this case should not be dismissed. If Plaintiff seeks to file an untimely opposition to Defendant’s motion, he must submit a request showing good cause for his failure to file an opposition within the time required by the Local Rules and shall submit a proposed opposition brief with any such request. Plaintiff’s response to this Order to Show Cause shall be due by no

1 later than December 5, 2014. If Plaintiff fails to file a response by that date, the Court shall  
2 dismiss this case without prejudice for failure to prosecute.

3 The Court VACATES the hearing set for December 12, 2014, pending Plaintiff's  
4 response to this Order. If Plaintiff seeks to file a belated opposition, and if the Court grants that  
5 request, the Court shall re-set the hearing date and set a deadline by which Defendant must file  
6 its reply brief.

7 The Court HEREBY ADVISES Plaintiff that a Handbook for Pro Se Litigants, which  
8 contains helpful information about proceeding without an attorney, is available through the  
9 Court's website or in the Clerk's office. The Court also advises Plaintiff that he also may wish  
10 to seek assistance from the Legal Help Center. Plaintiff may call the Legal Help Center at 415-  
11 782-8982 or sign up at the United States District Courthouse, 1301 Clay Street, Oakland,  
12 California, Room 470S, for a free appointment with an attorney who may be able to provide  
13 basic legal help, but not legal representation.

14 **IT IS SO ORDERED.**

15  
16 Dated: November 14, 2014

  
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JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE

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

5 ENG,

6 Plaintiff,

Case Number: CV14-04626 JSW

7 **CERTIFICATE OF SERVICE**

8 v.

9 JPMORGAN CHASE BANK, N.A., AS  
10 ACQUIRER OF CERTAIN ASSETS AND  
LIABILITIES OF WASHINGTON  
MUTUAL BANK et al,


11 Defendant.  
\_\_\_\_\_ /

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

14 That on November 14, 2014, I SERVED a true and correct copy(ies) of the attached, by  
15 placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter  
16 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.

17  
18  
19 David K. Eng  
5347 Bancroft Avenue  
20 Oakland, CA 94601-5807

21  
22 Dated: November 14, 2014

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