UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

MELVIN SMITH,

Plaintiff,

v.

WELLS FARGO BANK, N.A., ET AL.,

Defendants.

Case No. 15-cv-01779-YGR

ORDER TO SHOW CAUSE REGARDING PLAINTIFF'S FAILURE TO COMPLY WITH THE COURT'S STANDING ORDER IN CIVIL CASES; AUTHORIZING DEFENDANT TO FILE MOTION FOR SUMMARY JUDGMENT

Re: Dkt. No. 62

TO PLAINTIFF AND HIS COUNSEL OF RECORD:

Counsel for the above-named party is hereby **ORDERED TO SHOW CAUSE** why they should not be sanctioned in the amount of $200.00 for failing to comply with this Court's Standing Order in Civil Cases ("Standing Order") regarding Pre-filing Conferences for Summary Judgment Motions.

The Court's Standing Order states at Section 9(a): "Within three (3) business days after receipt of the [moving party's] letter, any adversary wishing to oppose the motion must file a written response addressing the substance of the moving party's letter, with a copy to Chambers and the moving party. This response shall also be limited to three single-spaced pages, *including* any attached exhibits or supporting papers."

Defendant Wells Fargo Bank, N.A. filed its pre-filing conference letter on August 10, 2016, and offered two dates for a pre-filing conference. (Dkt. No. 62.) To date, plaintiff has failed to file a response to that letter.

A hearing on this Order to Show Cause shall be held on **Friday, August 26, 2016** at **9:01 a.m.**, in the Federal Courthouse, 1301 Clay Street, Oakland, California, Courtroom 1. By **Friday,**

August 19, 2016, Counsel must file a written response to this Order to Show Cause explaining counsel's failure to comply with the Court's Standing Order. Failure to comply will be deemed a concession that sanctions are appropriate. If the Court is satisfied with the written response, the hearing on this Order to Show Cause may be vacated.

The Court **AUTHORIZES** defendant to file its proposed motion.

IT IS SO ORDERED.

Dated: August 17, 2016

YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE

United States District Court
Northern District of California