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4 UNITED STATES DISTRICT COURT  
5 NORTHERN DISTRICT OF CALIFORNIA  
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7 LUCIA B. CHAVEZ,  
8 Plaintiff,

9 v.

10 BANK OF AMERICA CORPORATION,  
11 Defendant.

Case No. 15-cv-02756-KAW

**ORDER TO SHOW CAUSE**

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13 On June 18, 2015, Plaintiff filed the instant complaint against Defendant Bank of America  
14 Corporation, alleging violations of Federal Regulation E and the Electronic Funds Transfer Act.  
15 (Compl., Dkt. No. 1.) On April 10, 2017, Defendant requested a telephonic discovery conference,  
16 on the ground that Plaintiff was failing to comply with her discovery obligations. (Dkt. No. 40.)  
17 Specifically, Defendant stated that Plaintiff had failed to: (1) respond substantively to Defendant's  
18 meet and confer attempts, (2) provide promised discovery, and (3) communicate generally with  
19 Defendant. (Id. at 1; see also Kenney Decl. ¶¶ 5 (identifying documents Plaintiff has not turned  
20 over); 6 (Plaintiff's provision of 64 pages of documents that were not related to her alleged travel);  
21 7 (Plaintiff stating at her deposition that she had additional documents to produce), 8, 11  
22 (Plaintiff's continued failure to produce the documents she said she would produce).) The Court  
23 also previously admonished Plaintiff about participating in the case. For example, at the August 2,  
24 2016 case management conference, after Plaintiff's counsel stated that he had not heard from the  
25 plaintiff, the Court ordered Plaintiff to file a status report indicating whether or not she intended to  
26 prosecute the case. (Dkt. No. 26.) The Court again admonished Plaintiff about participating in the  
27 case at the February 21, 2017 case management conference.<sup>1</sup>

28 <sup>1</sup> The February 21, 2017 case management conference had been continued from February 14,

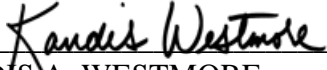
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On April 18, 2017, the Court held a telephonic discovery conference with the parties. There, Plaintiff's counsel indicated that he had not heard from Plaintiff since early March, despite numerous attempts to reach her.

In light of the above, Plaintiff is ordered, on or before **May 4, 2017**, to respond to this order to show cause by explaining why the instant case should not be dismissed for failure to prosecute. Failure to respond to this order **will** result in dismissal of the case.

IT IS SO ORDERED.

Dated: April 20, 2017

  
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KANDIS A. WESTMORE  
United States Magistrate Judge

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2017, due to Plaintiff's failure to participate in drafting the joint case management statement despite Defendant's efforts to meet and confer. (See Dkt. No. 33.)