

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

THOMAS CHANG, CHRISTINE GOIAS,
and MATTHEW CHANG, individually and
as survivors of, and successors to, decedent
ERROL CHANG,

Plaintiffs,

v.

CITY OF PACIFICA, et al.,

Defendants.

Case No: C 15-04591-SBA

**ORDER TO SHOW CAUSE WHY
MOTIONS FOR SUMMARY
JUDGMENT SHOULD NOT BE
ADJUDICATED AS UNOPPOSED**

Defendants Daly City and four of its individual officers (collectively, “Daly City Defendants”) and City of Pacifica and eight of its individual officers (collectively, “Pacifica Defendants”) have filed separate motions for summary judgment. Dkt. 27, 33. Plaintiff’s oppositions to the motions were due by no later than June 16, 2016. See Dkt. 36. To date, no oppositions have been received. Additionally, on June 20, 2017, the Clerk directed Plaintiff’s counsel to file a stipulation or administrative motion seeking leave to file a late brief. To date, no such filing has been received.

Accordingly, Plaintiff IS HEREBY ORDERED to show cause why the pending summary judgment motions should not be adjudicated as unopposed. See United States v. Real Property at Incline Village, 47 F.3d 1511, 1520 (9th Cir. 1995) (although a court cannot grant a summary judgment motion merely because it is unopposed, the court may grant an unopposed motion for summary judgment if the movant’s papers are themselves sufficient to support the motion and do not on their face reveal a genuine issue of material fact); accord Martinez v. Stanford, 323 F.3d 1178, 1182 (9th Cir. 2003). Plaintiff shall

1 submit a written response to this Order, not to exceed five pages, by no later than June 28,
2 2017. If no response to this Order is received by the deadline, the Court will presume that
3 the summary judgment motions are unopposed and adjudicate them as such.

4 IT IS SO ORDERED.

5 Dated: 6/23/2017


6 SAUNDRA BROWN ARMSTRONG
7 Senior United States District Judge
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28