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

MICHAEL L. RODRIGUES,

Plaintiff,

v.

BANK OF AMERICA, NA; BANK OF  
AMERICA PENSION PLAN and DOES 1-  
50,

Defendants.

No. C 16-1390 CW

ORDER TO SHOW  
CAUSE WHY CASE  
SHOULD NOT BE  
DISMISSED FOR  
FAILURE TO  
PROSECUTE

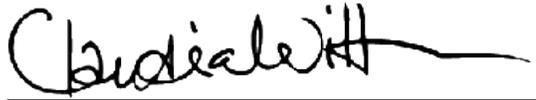
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On July 1, 2016, the Court granted Defendants' motion to dismiss Plaintiff's claims. In that order, the Court granted Plaintiff leave to amend the claim for benefits against the Bank of America Pension Plan, after exhaustion, and the breach of fiduciary duty claim against Bank of America, and to allege his documents claim against the Plan Administrator, if Plaintiff made a request for documents from the Plan Administrator and the request was denied. The deadline for Plaintiff to file his amended complaint was December 28, 2016. To date, the Court has received no further filings. Accordingly, Plaintiff is directed to show cause why his case should not be dismissed for failure to prosecute. Any response shall be filed within fourteen days of the date of this order. If Plaintiff does not file a response

1 within that time the Court will dismiss the case for failure to  
2 prosecute.

3 IT IS SO ORDERED.

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5 Dated: February 2, 2017



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CLAUDIA WILKEN  
United States District Judge

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