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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

CLEOPHAS WHITE,  
Plaintiff,  
  
V.  
WAL-MART STORES,  
Defendants.

Case No. CV-08-843-JF  
  
ORDER TO SHOW CAUSE RE:  
DISMISSAL

The above named matter came regularly for a case management conference hearing before the Honorable Jeremy Fogel in Courtroom 3, on September 12, 2008 at 10:30 a.m. No appearance was made by Plaintiff. The Court hereby issues this ORDER TO SHOW CAUSE, to be heard on October 31, 2008 at 10:30 a.m., as to why this action should not be dismissed for failure to prosecute. If Plaintiff does not file a response to the ORDER TO SHOW CAUSE by October 21, 2008, demonstrating why the case should not be dismissed, the Court will dismiss the action without prejudice, pursuant to Federal Rule of Civil Procedure 41(b), for failure to prosecute.

Date: September 18, 2008

  
JEREMY FOGEL  
United States District Judge