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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

DESIETA DIVINO and BENJAMIN)
DIVINO,)
)
Plaintiffs,)
)
v.)
)
LEHMAN BROTHER BANK, FSB, ET)
AL.,)
)
Defendants.)
_____)

Case No.: C 09-00193 PVT
ORDER TO SHOW CAUSE

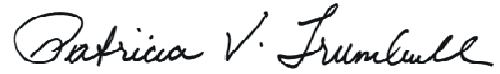
On April 13, 2009, the court granted defendants’ motion to dismiss the first amended complaint with leave to amend. (“April 13, 2009 Order”). Plaintiffs Desieta and Benjamin Divino were ordered to file a second amended complaint no later than April 24, 2009. (collectively “plaintiffs”). To date, a second amended complaint has not been filed and plaintiffs have proffered no explanation whatsoever. Accordingly,

IT IS HEREBY ORDERED that no later than May 8, 2009, plaintiffs shall file a declaration showing cause, if any, why this case should not be dismissed for failure to prosecute.¹ See,

_____)
¹ The holding of this court is limited to the facts and particular circumstances underlying the present motion.

1 FED.R.CIV.P. 41(b).

2 Dated: April 29, 2009



PATRICIA V. TRUMBULL
United States Magistrate Judge

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