

1 **\*\* E-filed June 24, 2011 \*\***

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7 NOT FOR CITATION  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 United States of America for Use and Benefit  
12 of COUNTYWIDE MECHANICAL  
13 SYSTEMS, INC.,

14 Plaintiff,

15 v.

16 ARCH INSURANCE COMPANY, et al.,

17 Defendants.

No. C09-00509 HRL

**ORDER (1) CONTINUING FURTHER  
CASE MANAGEMENT  
CONFERENCE AND (2) SETTING  
SHOW CAUSE HEARING RE:  
FAILURE TO PROSECUTE**

18 In September 2010, this Court stayed this case until February 22, 2011. Docket No. 40. On  
19 that date, none of the parties appeared at a previously-scheduled Further Case Management  
20 Conference. Later, this Court set another Further Case Management Conference for June 28, 2011  
21 and ordered the parties to file a Joint Case Management Statement no later than June 21, 2011.  
22 Docket No. 44.

23 Plaintiff has filed nothing since it moved to the stay the case in 2010. Defendants filed a  
24 Case Management Statement, and their counsel has stated that Plaintiff's counsel has been  
25 unresponsive to his attempts at contact. Docket Nos. 45, 47. In light of these circumstances, the  
26 Further Case Management Conference, currently set for June 28, 2011, is continued to **July 26,**  
27 **2011 at 1:30 p.m.** in Courtroom 2, Fifth Floor United States District Court, 280 South First Street,  
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1 San Jose, California. The parties shall file a Joint Case Management Statement no later than July 19,  
2 2011.<sup>1</sup>

3 In addition, Plaintiff is ORDERED to appear on **July 26, 2011 at 1:30 p.m.** in Courtroom 2,  
4 Fifth Floor, United States District Court, 280 South First Street, San Jose, California, 95113 to show  
5 cause why this case should not be dismissed for failure to prosecute.

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7 **IT IS SO ORDERED.**

8 Dated: June 24, 2011

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11 **HOWARD R. LLOYD**  
12 **UNITED STATES MAGISTRATE JUDGE**

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<sup>1</sup> Defendants' administrative motion to appear by telephone at the June 28, 2011 Further Case Management Conference (Docket No. 46) is DENIED as moot.

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**C09-00509 HRL Notice will be electronically mailed to:**

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**Counsel are responsible for distributing copies of this document to co-counsel who have not registered for e-filing under the court's CM/ECF program.**