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

ROGER M. LEVIN,  
Plaintiff,  
v.  
UNUM LIFE INSURANCE COMPANY OF  
AMERICA, et al.,  
Defendants.

**\*E-FILED - 11/1/10\***  
CASE NO.: C-09-02869-RMW  
**ORDER TO SHOW CAUSE RE:  
DISMISSAL**


This matter came on regularly for a Case Management Conference Re: Settlement on October 29, 2010. Defendant Unum Life Insurance Company of America appeared through its counsel, Matthew Hickey. Plaintiff failed to appear. Therefore,

IT IS HEREBY ORDERED that plaintiff appear on **November 12, 2010 @ 9:00 a.m.** in courtroom 6 of this Court and show cause WHY THIS CASE SHOULD NOT BE DISMISSED for failure to diligently prosecute the case and failure to appear at the Case Management Conference.

In addition to appearing on November 12, 2010, plaintiff must file and serve on defendant's counsel by November 8, 2010, a declaration or affidavit under oath explaining the status of the case and why he failed to appear at the Case Management Conference.

IF PLAINTIFF FAILS TO COMPLY WITH THIS ORDER OR FAILS TO SHOW GOOD REASON FOR HIS FAILURE TO APPEAR, THE CASE WILL BE DISMISSED.

DATED: October 29, 2010

  
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RONALD M. WHYTE  
UNITED STATES DISTRICT JUDGE

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Copy of Order E-Filed to Counsel of Record: