

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

DAVID RADEMAKER,	)	No. C 10-1659 LHK (PR)
Plaintiff,	)	ORDER TO SHOW CAUSE
vs.	)	
A. HEDGEPEETH, et al.,	)	
Defendants.	)	

Plaintiff, a state prisoner proceeding *pro se*, filed a federal civil rights complaint pursuant to 24 U.S.C. § 1983 against employees of Salinas Valley State Prison. On May 3, 2010, the Court found that, liberally construed, the complaint alleged a cognizable claim of deliberate indifference to Plaintiff’s serious medical needs. The Court ordered the complaint served upon the five defendants. In that same order, the Court issued a pretrial dispositive motion schedule in which Defendants were directed to file either a motion for summary judgment or other dispositive motion or notify the Court that the matter was not appropriate for such a motion within ninety days from the date the order of service was filed.

On August 13, 2010, after the deadline date for filing a dispositive motion had passed, four Defendants, through counsel, filed a Notice of Waiver of Answer. However, to date, none have filed a dispositive motion or notification that no such motion would be filed.

Accordingly, within **twenty-one (21) days** of the filing date of this order, Defendants are

1 ordered to show cause why this matter should not be set for trial. In their response, counsel for  
2 Defendants shall also inform the Court whether he represents Defendant K. Kachare, who was  
3 served on June 16, 2010.

4 IT IS SO ORDERED.

5 DATED: 9/7/2010

  
\_\_\_\_\_  
LUCY H. KOH  
United States District Judge

7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28