

United States District Court
For the Northern District of California

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

GERMAIN CEFALU,)	Case No.: 10-CV-02778-LHK
)	
v.)	ORDER TO SHOW CAUSE WHY CASE SHOULD NOT BE DISMISSED FOR FAILURE TO PROSECUTE
Plaintiff,)	
ALLIANCE BANCORP, et al.,)	
Defendants.)	

The Complaint in this case was filed on June 24, 2010. The Plaintiff moved for an ex parte Temporary Restraining Order (TRO) on the same day; this request was denied by the Court on June 25, 2010. See Dkt. No. 13. No proof of service on Defendants has been filed in this matter, and no further action has occurred since the TRO request was denied.

It is now more than seven months since the case was filed. The time for Plaintiff to serve Defendants expired on October 22, 2010. Fed. R. Civ. P. 4(m). Pursuant to this Rule, the Court orders the Plaintiff to show cause why the case should not be dismissed for lack of prosecution. Plaintiff shall file this response within 30 days of the date of this Order. Absent a showing of good cause, the case will be dismissed without prejudice.

In light of the foregoing, the Case Management Conference set for February 2, 2011 is hereby VACATED.

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IT IS SO ORDERED.

Dated: January 27, 2011



LUCY H. KOH
United States District Judge