United States District Court For the Northern District of California

	UNITED STATES	S DISTRICT COURT
	NORTHERN DISTRICT OF CALIFORNIA	
	SAN JOSE DIVISION	
	IFTIKHAR AHMED, an individual,) Case No.: 5:11-cv-03953-LHK
	Plaintiff, vs.	 ORDER TO SHOW CAUSE WHY THIS CASE SHOULD NOT BE DISMISSED FOR FAILURE TO PROSECUTE
	WACHOVIA now doing business as WELLS FARGO BANK, N.A.; CAL-WESTERN RECONVEYENCE CORPORATION, and DOES 1 through 50, inclusive,))))
	Defendants.	
	On July 11, 2011, Plaintiff filed an action in California Superior Court for violation of California Business and Professional Code § 17200; California Civil Code § 1572; fraud; intentional misrepresentation; wrongful foreclosure under California Civil Code §§ 2923, 2924 and quiet title. On August 11, 2011, the case was removed by Defendant Wells Fargo Bank—	

Wachovia's successor by merger-to federal court based on diversity jurisdiction, and on August

17, 2011, the case was reassigned to this Court. The next day, Wachovia filed a motion to dismiss

the complaint on all counts and a motion to strike portions of the complaint. ECF Nos. 10, 11.

Both motions required a response by Plaintiff by September 1, 2011.

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To date, Plaintiff has failed to respond to either of these motions. In light of these facts, the Court orders Plaintiff to show cause why this case should not be dismissed for failure to prosecute. This Order does not authorize Plaintiff to file an untimely opposition to the motion to dismiss or motion to strike. Plaintiff has until November 3, 2011 to file a response to this Order to Show Cause. A hearing on this Order to Show Cause is set for **November 16, 2011 at 2:00 P.M.** Failure to respond to this Order and appear at the November 16, 2011 hearing will result in dismissal without prejudice for failure to prosecute.

IT IS SO ORDERED.

Dated: October 20, 2011

Jucy H. Koh

LUCY **f**. KOH United States District Judge

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