

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

KIM HA VU, individual,)	Case No.: CV 12-01126 PSG
)	
Plaintiff,)	ORDER
v.)	(Re: Docket Nos. 6, 7, 8)
)	
WASHINGTON MUTUAL BANK, FA, et al.)	
)	
Defendant.)	

On June 12, 2012, a case management conference was scheduled to be held. None of the parties appeared for it. On June 14, 2012, the court ordered that no later than July 17, 2012, Plaintiff Kim Ha Vu (“Plaintiff”) must show cause, in writing, regarding why this matter should not be dismissed for failure to prosecute.¹ On July 17, 2012, Plaintiff filed a motion for leave to amend his complaint,² as well as a letter explaining that he intends to file an amended complaint and will attend the next case management conference.³

¹ See Docket No. 6 (Order to Show Cause (“OSC”).)
² See Docket No. 6 (Mot. for Leave to Amend. Compl.).
³ See Docket No. 8.

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The court ORDERS that the June 14, 2012 OSC is dissolved. The court also ORDERS that Plaintiff's request for leave be dismissed as moot. Fed. R. Civ. P. 15(a)(1) allows a party to amend his pleading once as of right, subject to certain exceptions inapplicable here.

Finally, Plaintiff must file a First Amended Complaint ("FAC") no later than July 31, 2012. If Plaintiff fails to file a FAC by this date, the court will dismiss this action without prejudice for failure to prosecute.

Dated: July 25, 2012


PAUL S. GREWAL
United States Magistrate Judge