UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

ESTERLITA CORTES TAPANG, Plaintiff, v. WELLS FARGO BANK, N.A., successor by merger to Wells Fargo Bank Minnesota, N.A., as Trustee f/k/a Northwest Bank Minnesota, N.A., as Trustee for the registered holders of Structured Asset Securities Corporation, Amortizing Residential Collateral Trust, Mortgage Pass-Through Certificates, Series 2002-BC9; STRUCTURED ASSET SECURITIES CORPORATION, Amortizing Residential Collateral Trust, Mortgage Pass-Through Certificates, Series 2002-BC9; STRUCTURED ASSET SECURITIES CORPORATION; OCWEN LOAN SERVICING, LLC; FINANCE AMERICA, LLC; WESTERN PROGRESSIVE, LLC; MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.; and DOES 1 through 500, INCLUSIVE, Defendants.	Case No.: 12-CV-02183-LHK ORDER TO SHOW CAUSE WHY CASE SHOULD NOT BE DISMISSED FOR FAILURE TO PROSECUTE

On May 2, 2012, and May 22, 2012, Plaintiff Esterlita Cortes Tapang ("Plaintiff") filed *ex parte* applications for a temporary restraining order ("TRO"). On May 3, 2012, Plaintiff filed her complaint in this action. Plaintiff never served the Summons, Complaint, or the two TRO applications on any Defendants.

On May 23, 2012, the Court issued an order denying Plaintiff's second *ex parte* TRO application, and ordering Plaintiff to file proof of service of the Summons, Complaint, Plaintiff's second TRO application, and the Order denying Plaintiff's second TRO application on all Defendants by May 25, 2012. ECF No. 11 ("May 23 Order"). The Court further ordered Defendants to file a response to Plaintiff's TRO by June 7, 2012, contingent upon Plaintiff's compliance with the Court's May 23 Order, and scheduled a hearing on Plaintiff's motion for a preliminary injunction for June 21, 2012, at 1:30 p.m.

Plaintiff has failed to comply with the Court's May 23 Order. As of today, June 1, 2012, Plaintiff has not filed proof of service of the Summons and Complaint, the second TRO application, and the Order denying Plaintiff's second TRO application on any of the Defendants. Accordingly, Plaintiff is hereby ORDERED to show cause why this case should not be dismissed for failure to prosecute. Plaintiff's response to this Order to Show Cause is due June 14, 2012. The hearing on Plaintiff's motion for a preliminary injunction is hereby VACATED, and a hearing on this Order to Show Cause will take place instead on June 21, 2012, at 1:30 p.m. Plaintiff's failure to respond by June 14, 2012 and failure to appear at the June 21, 2012 hearing will result in dismissal of this action with prejudice for failure to prosecute.

IT IS SO ORDERED.

Dated: June 1, 2012

LUCY H. KOH
United States District Judge