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**\*E-FILED: December 19, 2012\***

NOT FOR CITATION  
IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

JUAN TORRES CABRERA,

No. C12-04294 HRL

Plaintiff,

**ORDER TO SHOW CAUSE WHY  
DEFENDANT'S ANSWER SHOULD NOT  
BE STRICKEN**

v.

CHRISTOPHER HANBUM OH,

Defendant.

Plaintiff sues under federal and state law for wages that allegedly were earned, but remain unpaid. The complaint was filed on August 15, 2012. Defendant Oh subsequently appeared through attorney Milton Katz, who filed an answer on Oh's behalf. (See Dkt. No. 10).

Shortly after, Katz moved to withdraw as counsel of record, asserting that Oh failed to pay his fees and refused to provide records Katz deemed necessary for the defense of this action. Katz stated that he sent Oh a copy of that motion. The court received no opposition to it. And, Katz's motion to withdraw was granted, subject to the condition that papers could continue to be served on him for forwarding purposes, unless and until Oh appeared through other counsel or pro se. (See Dkt. No. 15, December 4, 2012 Order). In that same order, this court re-set the initial case management conference for December 18, 2012. Oh was ordered to appear at the conference in person, unless he retained other counsel by that time.

**United States District Court**  
For the Northern District of California

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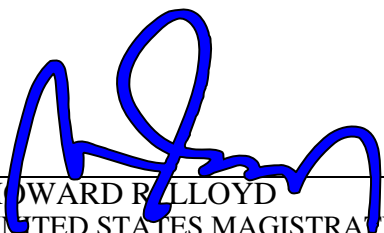
The court's December 4, 2012 order was electronically served on Katz through the court's ECF system. Additionally, the court mailed a copy of the order to Oh at the contact information listed for defendant in Katz's motion papers.<sup>1</sup>

Plaintiff appeared at the December 18, 2012 initial case management conference. Oh did not. Nor did any attorney appear on his behalf.

Accordingly, defendant Christopher Hanbum Oh shall appear in person before this court on **January 15, 2013, 10:00 a.m.**, Courtroom 2, Fifth Floor of the United States District Court, 280 South First Street, San Jose, California and show cause why his answer should not be stricken. Oh is advised that if his answer is stricken, plaintiff has stated an intent to seek entry of default and default judgment against him.

SO ORDERED.

Dated: December 19, 2012

  
\_\_\_\_\_  
HOWARD R. LLOYD  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> Because mail sent to Oh at that address has not been returned to the court as undeliverable, the court will also mail a copy of the instant order to defendant at that address.

1 5:12-cv-04294-HRL Notice has been electronically mailed to:

2 Milton Katz , Esq miltonkatz@yahoo.com

3 Tomas Eduardo Margain margainlaw@hotmail.com, brisa.velazquez.dbmlaw@gmail.com,  
4 rronan@gmail.com, huytran.dbmlaw@gmail.com, tm@wagedefenders.com

5 5:12-cv-04294-HRL A copy of this order sent by U.S. Mail to:

6 Christopher Hanbum Oh  
7 452 University Avenue  
8 Palo Alto, CA 94301

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