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2 IN THE UNITED STATES DISTRICT COURT  
3 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
4 SAN JOSE DIVISION

5 MARGARITO JIMENEZ, et. al.,

CASE NO. 5:13-cv-04615 EJD

6 **ORDER TO SHOW CAUSE**

7 Plaintiff(s),

8 v.

9 SUNTRUST MORTGAGE INC.,


10 Defendant(s).  
11 \_\_\_\_\_/

12 On October 4, 2013, this court issued an order which scheduled the above-entitled action for  
13 a Case Management Conference on February 7, 2014, and required the parties to file a Joint Case  
14 Management Conference Statement on or before January 31, 2014. See Docket Item No. 5.  
15 Defendant filed a separate Case Management Statement in response to the order after attempting to  
16 obtain Plaintiffs' input. See Docket Item No. 15. As of the date and time this order was filed,  
17 Plaintiffs have not complied.

18 Accordingly, the court hereby issues an order to show cause why this action should not be  
19 dismissed for failure to prosecute or for failure to comply with a court order. If Plaintiffs do not, **by**  
20 **February 10, 2014**, file a Case Management Conference Statement or otherwise demonstrate good  
21 cause in writing why this case should not be dismissed, the court will dismiss the action with  
22 prejudice pursuant to Federal Rule of Civil Procedure 41(b). No hearing will be held on the order to  
23 show cause unless otherwise ordered by the court. In light of this order, the Case Management  
24 Conference scheduled for February 7, 2014, is VACATED and will be reset by the court if  
25 necessary.

26 **IT IS SO ORDERED.**

27 Dated: February 4, 2014

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EDWARD J. DAVILA  
United States District Judge