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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

CARL MARSCHELLAS, et al.,
Plaintiffs,
v.
WELLS FARGO BANK, N.A., et al.,
Defendants.

Case No. [13-cv-05806-BLF](#)


**ORDER TO SHOW CAUSE; NOTICE
OF IMMINENT DISMISSAL**

Plaintiffs filed this action on October 24, 2013. ECF 1 at 2. Since September 17, 2014, Plaintiffs have not taken any action in this case including failing to respond to a motion to dismiss by Defendant Wells Fargo Bank and failing to appear at the hearing on that motion to dismiss. A failure to attend hearings, comply with court orders, and a failure to prosecute an action are each grounds for dismissal with prejudice under Fed. R. Civ. P. 41(b). *See, e.g., Bowling v. Hasbro, Inc.*, 403 F.3d 1373, 1375-77 (Fed. Cir. 2005) (applying the law of the Ninth Circuit).

Accordingly, the Court ORDERS Plaintiff to show cause in writing **on or before January 11, 2016** why this action should not be dismissed with prejudice for failure to comply with court orders and for failure to prosecute. If Plaintiff does not respond, the Court will dismiss the action with prejudice with respect all Defendants pursuant to Federal Rule of Civil Procedure 41(b) without further notice.

IT IS SO ORDERED.

Dated: December 15, 2015


BETH LABSON FREEMAN
United States District Judge