

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA  
3 SAN JOSE DIVISION

4 CHONG'S PRODUCE, INC.,

5 Plaintiff,

6 v.

7 REMON I. DANIEL,

8 Defendant.  
9

Case No. [5:14-cv-01242-EJD](#)

**ORDER TO SHOW CAUSE**

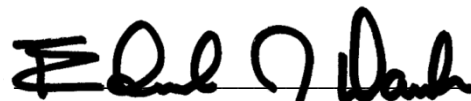
10 On April 20, 2015, this court issued an order requiring Plaintiff Chong's Produce, Inc.  
11 ("Plaintiff") to move for entry of Defendant's default on or before April 27, 2015. See Docket  
12 Item No. 32. The court also ordered Plaintiff to file a motion for default judgment on or before  
13 May 21, 2015, and scheduled a hearing on that anticipated motion for June 25, 2015. Id.

14 Plaintiff only partially complied with the April 20th order. While Plaintiff moved for entry  
15 of Defendant's default by the deadline imposed, Plaintiff did not file a timely motion for default  
16 judgment. Accordingly, the court hereby issues an order to show cause why this action should not  
17 be dismissed for failure to prosecute or for failure to comply with a court order. If Plaintiff does  
18 not, by **June 25, 2015**, file a motion for default judgment or otherwise demonstrate good cause in  
19 writing why this case should not be dismissed, the court will dismiss the action with prejudice  
20 pursuant to Federal Rule of Civil Procedure 41(b). No hearing will be held on the order to show  
21 cause unless otherwise ordered by the court.

22 In light of this order, the hearing scheduled for June 25, 2015, is VACATED.

23  
24 **IT IS SO ORDERED.**

25 Dated: June 18, 2015

26 

27 EDWARD J. DAVILA  
United States District Judge