Wojciechowski v.	Clearedge Power	Inc et al
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1 1 2 3 3 4 5 6 6 7 8 UNITED STATES DISTRICT COURT 9 NORTHERN DISTRICT OF CALIFORNIA 10 SAN JOSE DIVISION 11 PETER WOJCIECHOWSKI, on his own behalf) situated,
2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 NORTHERN DISTRICT OF CALIFORNIA 10 SAN JOSE DIVISION 11 gato behalf of all other persons similarly situated. 12 SHOULD NOT BE DISMISSED FOR v. 13 Plaintiff, 14 SHOULD NOT BE DISMISSED FOR v. 15 CLEAREDGE POWER, INC., and CLEAREDGE POWER, LLC, 16 Defendants. 17 Plaintiff Peter Wojciechowski ("Plaintiff") filed this putative class action against 18 Plaintiff Peter Wojciechowski ("Plaintiff") filed this putative class action against 19 Defendants. 17 Joff Peter Wojciechowski ("Plaintiff") filed this putative class action against 18 Plaintiff Peter Wojciechowski ("Plaintiff") filed this putative class action against 19 Defendants Clearedge Power, Inc. and Clearedge Power, LLC (collectively, "Defendants") on 10 April 28, 2014. ECF No. 1. A summons was issued to Defendants on April 29, 2014, ECF No. 4, 11 but the docket does not indicate whether Defendants were in fact served, and Defendants have not 12 appeare
3 4 4 5 5 6 7 7 8 UNITED STATES DISTRICT COURT 9 NORTHERN DISTRICT OF CALIFORNIA 10 SAN JOSE DIVISION 11 PETER WOJCIECHOWSKI, on his own behalf) situated, Case No.: 5:14-CV-01951-LHK 12 and on behalf of all other persons similarly situated, ORDER TO SHOW CAUSE WHY CASE 13 Plaintiff, SHOULD NOT BE DISMISSED FOR 14 CLEAREDGE POWER, INC., and SHOULD NOT BE DISMISSED FOR 15 CLEAREDGE POWER, ILC, FAILURE TO PROSECUTE 16 Defendants. The provide th
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22 appeared in this case.
23 Under Civil Local Rule 16-10(d), Plaintiff was required to file a case management
24 statement seven days in advance of the initial case management conference scheduled for
25 September 3, 2014, at 2:00 p.m. Plaintiff failed to file a case management statement by the seven-
26 day deadline. Accordingly, on August 29, 2014, the Court ordered Plaintiff to file a case
27 management statement by September 2, 2014 at 10:00 a.m. ECF No. 6. Plaintiff failed to file a case
28 management statement, and did not appear at the September 3 case management conference.
1 Case No.: 14-CV-01951-LHK
ORDER TO SHOW CAUSE WHY CASE SHOULD NOT BE DISMISSED FOR FAILURE TO PROSECUTE Dockets.Justia.com

United States District Court For the Northern District of California Plaintiff's apparent failure to serve Defendants within 120 days of filing his complaint, as required by Federal Rule of Civil Procedure 4(m); Plaintiff's failure to file a case management statement in accordance with the Civil Local Rules; Plaintiff's failure to follow the Court's order to file a case management statement; and Plaintiff's failure appear for the case management conference indicates that Plaintiff has abandoned this litigation. The Court hereby ORDERS Plaintiff to show cause why this case should not be dismissed with prejudice for failure to prosecute. Plaintiff has until September 8, 2014 to file a response to this Order to Show Cause. A hearing on this Order to Show Cause is set for **Thursday, September 11, 2014, at 1:30 p.m.** Plaintiff's failure to respond to this Order and appear at the September 11, 2014 hearing will result in dismissal with prejudice for failure to prosecute.

IT IS SO ORDERED.

Dated: September 3, 2014

Fucy H. Koh

LUCY HOOH United States District Judge

Case No.: 14-CV-01951-LHK ORDER TO SHOW CAUSE WHY CASE SHOULD NOT BE DISMISSED FOR FAILURE TO PROSECUTE