UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA SAN JOSE DIVISION

SCOTT WELLER,

Plaintiff,

v.

SCOUT ANALYTICS, INC., et al.,

Defendants.

Case No. <u>5:15-cv-03170-EJD</u>

ORDER TO SHOW CAUSE

On January 31, 2017, the court issued an order dismissing all claims asserted in Plaintiff's complaint with leave to amend, and requiring that any amended complaint be filed on or before February 20, 2017. Dkt. No. 61. To date, Plaintiff has not filed an amended complaint as directed.

Accordingly, the court hereby issues an order to show cause why this action should not be dismissed for failure to prosecute. If Plaintiff does not, by **March 9, 2017**, file an amended complaint in a manner consistent with the January 31st order or otherwise demonstrate good cause in writing why this case should not be dismissed, the court will dismiss the action with prejudice pursuant to Federal Rule of Civil Procedure 41(b). No hearing will be held on the order to show cause unless otherwise ordered by the court.

IT IS SO ORDERED.

Dated: March 2, 2017

Dated. March 2, 201

Case No.: <u>5:15-cv-03170-EJD</u> ORDER TO SHOW CAUSE EDWARD J. DAVIIA
United States District Judge