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

ANIMAL PROTECTION AND RESCUE  
LEAGUE, INC.,

Plaintiff,

v.

NORTHRIDGE OWNER, L.P., et al.,

Defendants.

Case No. [16-cv-01494-BLF](#)

**ORDER TO SHOW CAUSE**


Plaintiff Animal Protection and Rescue League, Inc. (“APRL”) is hereby ORDERED TO SHOW CAUSE why this case should not be dismissed with prejudice for violation of this Court’s Order Dismissing Case for Lack of Subject Matter Jurisdiction with Leave to Amend. ECF 35. The Order required APRL to file an amended complaint by September 23, 2016. *Id.* at 6. Plaintiff did not amend its complaint within the time provided and still has not amended it.

Failure to amend a complaint is considered a failure to comply with a Court order and is grounds for dismissal of this action with prejudice under Federal Rule of Civil Procedure 41(b). *See Yourish v. Calif. Amplifier*, 191 F.3d 983, 986 (9th Cir. 1999).

Accordingly, the Court ORDERS Plaintiff to show cause why this action should not be dismissed with prejudice for failure to comply with a court order or to file a notice of intent not to file an amended complaint on or before October 28, 2016. If APRL files an amended complaint on or before that date, the Court will dissolve the order to show cause. However, if APRL does not respond, the Court will dismiss the action with prejudice pursuant to Federal Rule of Civil Procedure 41(b) without further notice.

**IT IS SO ORDERED.**

Dated: September 30, 2016

  
BETH LABSON FREEMAN  
United States District Judge