1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA SAN JOSE DIVISION

KURT BIGGS,

Plaintiff,

Case No. 5:16-cv-01506-EJD

ORDER TO SHOW CAUSE

v.

EXPERIAN INFORMATION SOLUTIONS, INC.,

Defendant.

On August 8, 2016, the court issued a Case Management Order which scheduled a Trial Setting Conference for this action on December 1, 2016, and required that a Joint Trial Setting Conference Statement be filed on or before November 21, 2016. Dkt. No. 34. As of the date and time this order was filed, however, the court has not received a statement from any party.

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 12:00 p.m. on November 28, 2016, file or cause to be filed a Joint Trial Setting Conference Statement which conforms to the undersigned's Standing Order for Civil Cases or 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: November 23, 2016

United States District Judge

Case No.: <u>5:16-cv-01506-EJD</u> ORDER TO SHOW CAUSE

1