

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

4 LANI HAYES, et al.,  
5 Plaintiffs,  
6  
7 v.  
8 WELLS FARGO BANK, N.A.,  
9 Defendant.

Case No. [5:16-cv-04808-EJD](#)

**ORDER TO SHOW CAUSE**

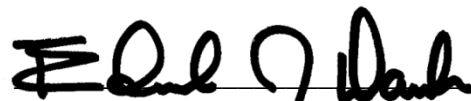
10 On August 26, 2016, Defendant Wells Fargo Bank, N.A. filed a motion to dismiss the  
11 Complaint filed by Plaintiffs Lani Hayes and Lonzell Hayes (“Plaintiffs”). Dkt. No. 11. Pursuant  
12 to Civil Local Rule 7-3, Plaintiffs were required to file a response to the motion no later than  
13 September 9, 2016. To date, Plaintiffs have not filed a response and their attorneys have moved to  
14 withdraw because Plaintiffs have failed to communicate.

15 Accordingly, the court hereby issues an order to show cause why this action should not be  
16 dismissed for failure to prosecute. If Plaintiffs do not, by **December 9, 2016**, file a document  
17 which demonstrates good cause why this case should not be dismissed, the court will dismiss the  
18 action with prejudice pursuant to Federal Rule of Civil Procedure 41(b). No hearing will be held  
19 on the order to show cause unless otherwise ordered by the court.

20 Plaintiffs’ counsel shall forthwith serve a copy of this order on Plaintiffs at their last  
21 known physical address and e-mail address, and shall file a Certificate of Service demonstrating  
22 that such service has been completed no later than **November 23, 2016**.

23  
24 **IT IS SO ORDERED.**

25 Dated: November 18, 2016

26 

27 EDWARD J. DAVILA  
United States District Judge