

United States District Court  
Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DAVID STEVEN BRAUN,  
Plaintiff,  
v.  
YAHOO,  
Defendant.

Case No. 17-cv-06294-SVK

**ORDER TO SHOW CAUSE WHY CASE  
SHOULD NOT BE DISMISSED WITH  
PREJUDICE**

On June 11, 2018, the Court issued an order granting Defendant’s motion to dismiss Plaintiff’s first amended complaint, which stated that “Plaintiff may file a second amended complaint (“SAC”) within 14 days of the date of this order if he wishes to attempt to address the deficiencies identified in this order” and that “[f]ailure to file a SAC by the deadline will result in dismissal of this action.” ECF 54. On June 21, 2018, the Court granted Plaintiff a 15-day extension of the deadline to file a SAC. ECF 58. Under these orders, the extended deadline for Plaintiff’s SAC was July 10, 2018. As of the date of this order, Plaintiff has not filed a SAC.

Based on Plaintiff’s failure to file a SAC by the deadline, the Court ORDERS Plaintiff to show cause why this case should not be dismissed with prejudice under Federal Rule of Civil Procedure 41(b). If Plaintiff wishes to attempt to proceed with this action, he must file a response to this Order to Show Cause no later than **July 27, 2018**, which must include an explanation as to why his SAC was not timely filed. Failure to file such response by July 27, 2018 will result in dismissal of this case with prejudice.

**SO ORDERED.**

Dated: July 17, 2018



SUSAN VAN KEULEN  
United States Magistrate Judge