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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

WORLDWIDE MEDIA, INC., et al.,
Plaintiffs,
v.
TWITTER, INC.,
Defendant.

Case No.17-cv-07335-VKD

**ORDER TO SHOW CAUSE WHY
ACTION SHOULD NOT BE
DISMISSED**

Plaintiffs Worldwide Media, Inc. and Michael Berkens filed this action on December 27, 2017. Dkt. No. 1. On September 6, 2018, plaintiffs voluntarily dismissed all claims against the Doe defendants. Dkt. No. 41. On October 24, 2018, the Court granted defendant Twitter, Inc.’s motion to dismiss with leave to amend. Dkt. No. 44. The deadline for plaintiffs to file a second amended complaint or a motion for leave to file a second amended complaint was November 7, 2018. *Id.* Plaintiffs did not file a second amended complaint or motion for leave to file a second amended complaint by the November 7 deadline.

The Court possesses the inherent power to dismiss an action sua sponte “to achieve the orderly and expeditious disposition of cases.” *Link v. Wabash R.R. Co.*, 370 U.S. 626, 629–33 (1962). Accordingly, plaintiffs are directed to file a written response to this order by **December 11, 2018** and to appear before the Court on **December 18, 2018 at 10:00 a.m.** in Courtroom 2, Fifth Floor, 280 South First Street, San Jose, California 95113 and show cause why this action should not be dismissed without prejudice for failure to prosecute. Alternatively, plaintiffs may file a voluntary dismissal pursuant to Fed. R. Civ. P. 41(a)(1)(i) by **December 11, 2018**. If a dismissal is filed, the Order to Show Cause hearing will be automatically vacated and plaintiffs need not file a statement in response to this Order.

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IT IS SO ORDERED.

Dated: December 3, 2018


VIRGINIA K. DEMARCHI
United States Magistrate Judge