

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

DENISE PICKETT, et al.,)
)
 Plaintiffs,)
)
 v.) Case No. 17-2021-JAR
)
 GRAEBEL KANSAS CITY MOVERS, INC., et)
 al.,)
)
 Defendants.)

SECOND ORDER TO SHOW CAUSE

On May 24, 2017, the presiding United States District Judge, Julie A. Robinson, entered a memorandum and order (ECF No. 10) granting in part and denying in part plaintiffs’ motion to amend complaint (ECF No. 8) and denying as moot defendants’ motion to dismiss (ECF No. 5). Specifically, plaintiffs’ motion to amend was granted as unopposed on proposed Count I, and denied as to proposed Count II. Plaintiffs were ordered to file their proposed amended complaint (ECF No. 8-1) as to Count I.

After plaintiffs failed to file the amended complaint or take any other action in this case, the undersigned ordered plaintiffs to show cause by July 5, 2017, why the case should not be dismissed for lack of prosecution (ECF No. 11). Plaintiffs responded that defendants had gone into receivership and that plaintiffs were contemplating dismissing the case (ECF No. 12). Plaintiffs requested, and the court granted, an extension to August 7, 2017, for plaintiffs to file a stipulation of dismissal or updated response to the show cause order (ECF Nos. 12 & 13).

On August 8, 2017, plaintiffs filed a status report, advising that plaintiffs were in the process of locating the insurance carrier for coverage related to defendants’ services (ECF No. 14). The court then set a deadline of September 8, 2017, for plaintiffs to respond to the show

cause order (ECF No. 15). To date, plaintiffs have not responded to the show cause order or provided an updated status report demonstrating their efforts to move this case toward resolution. Therefore, the court again orders plaintiffs to show cause in writing to Judge Robinson, this time by **September 25, 2017**, why this case should not be dismissed, with prejudice, for lack of prosecution.

IT IS SO ORDERED.

Dated September 11, 2017, in Kansas City, Kansas.

s/ James P. O'Hara
James P. O'Hara
U.S. Magistrate Judge