

1
2
3
4
5
6
7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 BOARDS OF TRUSTEES OF THE
11 NORTHWEST I.A.M. BENEFIT TRUST
12 and WESTERN METAL INDUSTRY
13 PENSION FUND, (hereafter referred to
14 as the Trust Funds),

15 Plaintiffs,

16 v.

17 J.M. MARTINAC SHIPBUILDING
18 COMPANY, a Washington corporation,

19 Defendant.

Case No. C15-969RSM

ORDER TO SHOW CAUSE

20 This matter comes before the Court *sua sponte*. This case was originally filed on June
21 16, 2015. Dkt. #1. There has been no responsive pleading or appearance from Defendant. The
22 last action from Plaintiff in this case occurred on August 25, 2015. Dkt. #4. Plaintiff has not
23 requested a stay in this matter or otherwise communicated with the Court since then.

24 Any case that has been pending in this Court for more than nine months without any
25 proceeding of record may be dismissed by the Court on its own motion for lack of prosecution.
26 LCR 41(b)(1). "The plaintiff in any such action will be given an opportunity to show cause in
27 writing... why the case should not be dismissed." *Id.* "A dismissal under this subparagraph
28

1 will operate as an adjudication on the merits, as provided for in Fed. R. Civ. P. 41(b), unless the
2 court orders otherwise.” *Id.*

3 The Court finds that Plaintiff has not taken any action in this case for more than nine
4 months and dismissal may be appropriate for failure to prosecute. In Response to this Order,
5 Plaintiff must write a short and plain statement telling the Court why this case should not be
6 dismissed given the above. **This Response may not exceed six (6) pages.**

7
8 The Court hereby finds and ORDERS that Plaintiff shall file this Response to this Order
9 to Show Cause **no later than fourteen (14) days from the date of this Order.** Failure to file
10 this Response will result in dismissal of this case.

11
12
13 DATED this 17th day of August 2017.

14
15 

16 RICARDO S. MARTINEZ
17 CHIEF UNITED STATES DISTRICT JUDGE
18
19
20
21
22
23
24
25
26
27
28