

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SHEILA MCCORMICK, *et al.*,

Plaintiff,

v.

CITY OF VALLEJO, *et al.*,

Defendants,

Case No. 2:25-cv-1468-JDP (PS)

ORDER TO SHOW CAUSE

Defendants have filed motions to dismiss plaintiffs' complaint, which are currently set for hearing on December 18, 2025. ECF Nos. 15 & 16; *see* ECF No. 30. On November 14, 2025, the court granted Benjamin Nisenbaum and Katherine MacElhiney's motion to withdraw as plaintiffs' attorneys. ECF No. 30. The court also ordered plaintiffs to either file a response to defendants' motions to dismiss or notify the court that they wish stand by the oppositions filed by their former counsel. ECF No. 30; *see* ECF Nos. 20 & 21. To date, plaintiffs have not responded to the court's November 14 order.

To manage its docket effectively, the court requires litigants to meet certain deadlines. The court may impose sanctions, including dismissing a case, for failure to comply with its orders or local rules. *See* Fed. R. Civ. P. 41(b); E.D. Cal. L.R. 110; *Hells Canyon Pres. Council v. U.S. Forest Serv.*, 403 F.3d 683, 689 (9th Cir. 2005); *Carey v. King*, 856 F.2d 1439, 1440-41 (9th Cir. 1988). Involuntary dismissal is a harsh penalty, but a district court has a duty to administer

1 justice expeditiously and avoid needless burden for the parties. *See Pagtalunan v. Galaza*, 291
2 F.3d 639, 642 (9th Cir. 2002); Fed. R. Civ. P. 1.

3 The court will give plaintiffs the opportunity to explain why sanctions should not be
4 imposed for failure to comply with the court's November 14, 2025 order. Plaintiffs' failure to
5 respond to this order will constitute an additional failure to comply with a court order and will
6 result in dismissal of this action.

7 Accordingly, it is hereby ORDERED that:

8 1. The December 18, 2025 hearing on defendants' motions is continued to January 15,
9 2026, at 10:00 a.m.

10 2. By no later than December 19, 2025, plaintiffs shall either file a response to
11 defendants' motions to dismiss, ECF Nos. 15 & 16, or notify the court that they wish stand by the
12 oppositions filed at ECF Nos. 20 & 21.

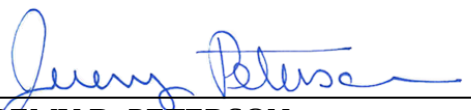
13 3. Plaintiffs shall show cause, by no later than December 19, 2025, why sanctions should
14 not be imposed for failure to timely comply with the court's November 14, 2025 order.

15 4. Defendants may file a reply to plaintiffs' opposition, if any, no later than January 5,
16 2026.

17 5. Failure to comply with this order will result in dismissal of this action for failure to
18 comply with a court orders and failure to prosecute.

19 IT IS SO ORDERED.
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21 Dated: December 5, 2025

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23 JEREMY D. PETERSON
24 UNITED STATES MAGISTRATE JUDGE
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