

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
Ft. Myers Division**

ACHTE/NEUNTE BOLL KINO)	
BETEILIGUNGS GMBH & CO KG,)	
)	
Plaintiff,)	
)	
v.)	C.A. <u>2:11-cv-00071-JES-DNF</u>
)	
KIM ZIMMERMAN,)	
)	
Defendant.)	
)	

PLAINTIFF’S RESPONSE TO ORDER TO SHOW CAUSE [DOC. NO. 18]

Plaintiff hereby responds to the Court’s Order to Show Cause directing the parties to show cause why this case should not be dismissed pursuant to Local Rule 3.10 for lack of prosecution due to the non-filing of a Case Management Report within the time prescribed by Local Rule 3.05(c)(2)(B).

Plaintiff’s counsel has not received any correspondence or communications from Defendant’s counsel. Plaintiff’s counsel will promptly contact Defendant’s counsel to confer on case management and scheduling, and the parties will promptly thereafter file a Case Management Report. Further, Plaintiff’s counsel intends to retain local counsel in this district to assist in prosecuting this case but has not been able to retain local counsel at this time.

Therefore, Plaintiff respectfully requests that the Court not dismiss this case.

Respectfully Submitted,

DATED: September 19, 2011

s/ Jeffrey W. Weaver
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CERTIFICATE OF SERVICE

I hereby certify that on September 19, 2011, I electronically filed the foregoing PLAINTIFF'S RESPONSE TO ORDER TO SHOW CAUSE [DOC. NO. 18] with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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