

**UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA**

Spice Beauty, LLC v. Spice Beauty, Ltd

Spice Beauty · No. 2:25-cv-05807-SRM (SKx) · Decided September 15, 2025

SUMMARY

The Central District of California orders Plaintiff to show cause why the action should not be dismissed for lack of prosecution. The court identifies possible responses, including seeking entry of default, stipulating to extend Defendants' response deadline, or voluntarily dismissing the action, and warns that failure to respond may result in dismissal without further notice.

OPINION

Spice Beauty, LLC v. Spice Beauty, Ltd

PER CURIAM.

CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 2:25-cv-05807-SRM (SKx) Date September 15, 2025 Title Spice Beauty, LLC v. Spice Beauty, Ltd et al Present: The Honorable SERENA R. MURILLO, UNITED STATES DISTRICT JUDGE Gabriela Garcia Not Reported Deputy Clerk Court Reporter Attorneys Present for Plaintiffs: Attorneys Present for Defendants: None Present None Present

PROCEEDINGS: (IN CHAMBERS) ORDER TO SHOW CAUSE RE DISMISSAL FOR
LACK OF PROSECUTION

“[I]t is the plaintiff’s responsibility to move a case toward a merits disposition.” Thomas v. Kernan, 2019 WL 8888200, at *1 (C.D. Cal. July 10, 2019) (citing Morris v. Morgan Stanley & Co., 942 F.2d 648, 652 (9th Cir. 1991)). That includes, where applicable, promptly (a) filing stipulations extending a defendant’s time to respond to the complaint, (b) pursuing default and remedies under Federal Rule of Civil Procedure 55 when a defendant fails to timely respond to the complaint, or (c) dismissing a case the plaintiff has chosen not to pursue for any reason. Here, Plaintiff has filed a proof of service, yet the deadline for Defendant to respond to the Complaint has passed and Plaintiff has taken no action. Accordingly, the court, on its own motion, hereby ORDERS Plaintiff to show cause in writing, no later than September 22, 2025, why this action should not be dismissed for lack of prosecution. As an alternative to a written response by Plaintiff, the Court will consider as an appropriate response to this OSC the filing of one of the following on or before the above date:

1. Plaintiff's Request for Entry of Default as to all Defendants or Defendants' Answer(s),
2. A stipulation extending Defendants' time to respond to the Complaint that complies with Local

Rule 8.3, or

3. A notice of Voluntary Dismissal (Fed. R. Civ. P. 41) as to all Defendants.

No oral argument of this matter will be heard unless ordered by the Court. The Order will stand submitted upon the filing of a timely and appropriate response. Failure to file a timely and appropriate response to this Order may result in dismissal without further notice or order from the court. See Fed. R. Civ. P. 41(b); L. R. 41-6; *Link v. Wabash R.R.*, 370 U.S. 626, 629 (1962) (“The authority of a federal trial court to dismiss a plaintiff’s action with prejudice because of his failure to prosecute cannot seriously be doubted.”); *Hells Canyon Pres. Council v. U.S. Forest Serv.*, 403 F.3d

CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 2:25-cv-05807-SRM (SKx) Date September 15, 2025 Title Spice Beauty, LLC v. Spice Beauty, Ltd et al 683, 689 (9th Cir. 2005) (“[C]ourts may dismiss under Rule 41(b) sua sponte, at least under certain circumstances.”); *Ash v. Cvetkov*, 739 F.2d 493, 496 (9th Cir. 1984) (“It is within the inherent power of the court to sua sponte dismiss a case for lack of prosecution.”).
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