UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

MARTA RUSSELL,

Plaintiff,

v.

SHUTTERS ON THE BEACH, et al.,

Defendants.

Case No. 2:12-cv-7916-ODW(MRWx)

ORDER TO SHOW CAUSE RE LACK OF PROSECUTION

On August 14, 2013, the parties filed their Notice of Settlement and asked the Court to vacate all remaining pretrial and trial dates. (ECF No. 22.) The parties represented that they have reached a full settlement and expected to execute the settlement within one week of the Notice. (*Id.* at 2.) Further, Plaintiff requested leave to file a motion for attorney's fees and costs within 30 days from the date of the Court's order vacating the remaining pretrial and trial dates. (*Id.*)

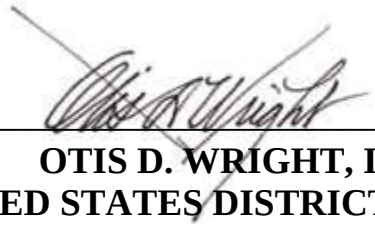
Based on these representations, on August 14, 2013, the Court vacated the remaining pretrial and trial dates and allowed Plaintiff to file a motion for attorney's fees and costs within 30 days. (ECF No. 23.) Yet, more than 30 days has passed and nothing has been filed.

Accordingly, the Court hereby **ORDERS** Plaintiff **TO SHOW CAUSE** why this case should not be dismissed for lack of prosecution. Because her 30 days has expired, she is no longer permitted to file a motion for attorney's fees. No hearing

will be held on this matter. This Order to Show Cause will be discharged upon the filing of a stipulation and proposed order of dismissal. A response from Plaintiff is required by September 24, 2013. Failure to timely respond will result in the dismissal of this case with prejudice.

IT IS SO ORDERED.

September 20, 2013



OTIS D. WRIGHT, II
UNITED STATES DISTRICT JUDGE