

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
CIVIL MINUTES—GENERAL

Case No. **CV 16-1569-DMG (RAOx)** Date February 26, 2020

Title ***Isaac Haber v. Darren R. Jamison, et al.*** Page 1 of 2

Present: The Honorable **DOLLY M. GEE, UNITED STATES DISTRICT JUDGE**

**KANE TIEN**

Deputy Clerk

**NOT REPORTED**

Court Reporter

Attorneys Present for Plaintiff(s)  
None Present

Attorneys Present for Defendant(s)  
None Present

**Proceedings: IN CHAMBERS — ORDER TO SHOW CAUSE WHY CASE SHOULD NOT BE DISMISSED FOR LACK OF PROSECUTION [38]**

This is a shareholder derivative action that has been related to another case, *In re Capstone Turbine Corp. Securities Litigation*, Case No. 2:15-cv-08914-DMG-RAO (“*Capstone Securities Litigation*”).

In its March 13, 2018 Order [Doc. # 38] and in response to the parties’ March 9, 2018 stipulation [Doc. # 37], this Court stayed these proceedings

until the earlier of (i) the close of fact discovery in the [*Capstone Securities Litigation*] Securities Action, or (ii) the deadline for appealing a dismissal of the Securities Action with prejudice . . . .

Within thirty (30) days after either the close of fact discovery in the Securities Actions, or the deadline for appealing a dismissal of the Securities Action with prejudice (whichever occurs first), the Parties in this Action will meet and confer in good faith to determine a schedule for the Action going forward, and will submit a proposed scheduling stipulation for this Court’s review and approval.

[Doc. # 38 at 2.]

Fact discovery in the *Capstone Securities Litigation* closed on April 26, 2019 [*see* CV 15-8914, Doc. # 100-1] and the case was closed on November 15, 2019 following a class action settlement. [*See* CV 15-8914, Doc. # 134.]

No relevant further action has since been taken in this action. Accordingly, Plaintiffs are **ORDERED TO SHOW CAUSE** why this case should not be dismissed for lack of prosecution.

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Page 2 of 2

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By no later than **March 12, 2020**, Plaintiffs shall file a response indicating whether they intend to continue to pursue any claims raised this action and, if so, Plaintiffs shall propose a schedule for further proceedings.

**Plaintiffs' failure to file a response by the above-indicated date shall result in the dismissal of this action with prejudice for lack of prosecution.**

**IT IS SO ORDERED.**