



1 UNITED STATES DISTRICT COURT

2
3 CENTRAL DISTRICT OF CALIFORNIA4 SALEM ROSALES,
5
6 Plaintiff,

Case No.: 2:21-cv-03734-SB-AFM

7 vs.

ORDER TO SHOW CAUSE RE:
DISMISSAL8 BALLY AMERICAS, INC.,
9
10 Defendant

11 After the parties filed a notice of settlement on June 28, 2021, the Court on
12 July 2 ordered them to show cause why the action should not be dismissed with
13 prejudice, ordering that:

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15 If the parties file a proposed order to dismiss the entire action with
16 prejudice by August 27, 2021, the case will be dismissed and this
17 order to show cause discharged without further notice. Otherwise, the
18 defendants shall file a response to the complaint by September 3,
19 2021, and the parties should be prepared for the Court to set a date for
20 the mandatory scheduling conference within 30 days thereafter.

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22 Dkt. No. [13](#). The parties did not file a proposed order to dismiss the case with
23 prejudice by August 27 or thereafter, nor did Defendant file a response to the
24 complaint by September 3. Instead, the parties on August 27 filed a status report
25 stating that “The parties are still in the process of finalizing a formal settlement
26 agreement. A notice of dismissal with prejudice of Plaintiff’s individual claims
27 will be filed upon execution of a formal settlement agreement.” Dkt. No. [14](#). The
28 parties did not state when they expect to finalize their settlement, nor did they seek
leave to disregard the Court’s order that in the absence of a proposed dismissal
order, Defendant must file its answer by September 3.

1 Accordingly, IT IS HEREBY ORDERED that Defendant no later than
2 September 13, 2021 shall file (1) a response to show cause why it should not be
3 sanctioned for disregarding the Court's prior Order to Show Cause, and (2) its
4 answer to Plaintiff's complaint. However, if the parties have filed their proposed
5 order to dismiss the entire action with prejudice by September 10, 2021, then
6 Defendant is excused from making these additional filings, and the case will be
7 closed.
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10 Dated: September 7, 2021

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13 Stanley Blumenfeld, Jr.
14 United States District Judge
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