

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

Case No. **EDCV 18-00469-GW (SHK)**

Date: September 26, 2018

Title: ***Joseph DeMatteo v. Nancy A. Berryhill***

Present: The Honorable **Shashi H. Kewalramani**, United States Magistrate Judge

D. Castellanos

Not Reported

Deputy Clerk

Court Reporter

Attorney(s) Present for Plaintiff(s):

Attorney(s) Present for Defendant(s):

None Present

None Present

**Proceedings: SECOND ORDER TO SHOW CAUSE**

On September 13, 2018, the Court issued its Order to Show Cause (“OSC”) as to why Plaintiff has not submitted his settlement proposal to Defendant as required by the Court’s Case Management Order (“CMO”). Electronic Case Filing Number (“ECF No.”) 7, CMO; ECF No. 19, OSC. Plaintiff was ordered to show cause, in writing, no later than September 24, 2018, as to why he had not complied with the Court’s CMO. *Id.* To date, Plaintiff has failed to comply with the Court’s OSC.

The Court notes that it has prodded Plaintiff through this litigation twice before when Plaintiff failed to comply with Court’s CMO on two other occasions. ECF Nos. 8, 14, Orders.

Nevertheless, Plaintiff is granted **one** final opportunity to comply with the Court’s CMO, and most recent OSC that was issued on September 13, 2018, by filing a notice with the Court, no later than **October 3, 2018**, stating that he has sent Defendant his settlement proposal and is, therefore, in compliance with the Court’s CMO and most recent OSC.

Plaintiff is warned that failure to respond to this OSC as ordered, and within the time specified, **will** result in dismissal of this action, without prejudice, for failure to comply with the Court’s order, and for want of prosecution under Local Rule 41-5.

**IT IS SO ORDERED**