

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. **SACV 11-415 JVS (FMOx)**  
8:10ML02151 JVS(FMOx)

Date April 19, 2017

Title **Lavergne Short, et al. v. Toyota Motor North America Inc., et al.**  
A member case **IN RE: TOYOTA MOTOR CORP. UNINTENDED  
ACCELERATION MARKETING, SALES PRACTICES, AND PRODUCTS  
LIABILITY LITIGATION**

Present: The Honorable James V. Selna

Karla J. Tunis

Not Present

Deputy Clerk

Court Reporter

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

**Proceedings: (IN CHAMBERS) Order Extending Time to Respond to Order to Show Cause and Continuing Hearing on Order to Show Cause**

On March 29, 2017, the Court granted Toyota Motor North America, Inc. *et al.*'s (collectively "Toyota") unopposed motion for an order to show cause why the complaint should not be dismissed because of the failure of plaintiffs Laverne Short *et al.* (collectively "plaintiffs") to participate in the Intensive Settlement Program ("ISP"). (SACV 11-415, Docket No. 33.) Plaintiffs were required to respond to the Order to Show Cause no later than April 10, 2017. The Court specifically advised that **"Plaintiffs are cautioned that should they fail to respond, the case will likely be dismissed without prejudice pursuant to Fed. R. Civ. P. 41(b), 37(b)(2)(C) and 16(f)."** (*Id.*, p. 2; bold in original.)

Plaintiffs failed to respond to the Order to Show Cause. It appear that two of the three plaintiffs have now submitted a demands; none has provided completed negotiations materials (D'Auria Decl., ¶¶ 3-5.)

The Court is cognizant that although they originally had counsel, the plaintiffs are now proceeding *in pro per*. For that reason, the Court extends the time for plaintiffs to file a response to the Order to Show Cause and/or supply a demand and completes negotiations materials to May 1, 2017. Toyota may reply no later than May 8, 2017. The hearing is continued to May 15, 2017 at 1:30 p.m.

**The Court strongly admonishes the plaintiffs that if they fail to respond and/or comply with the requirements of the ISP, THE CASE WILL BE DISMISSED.**

Initials of Preparer

kjt