

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

Case No. **SACV 23-01679-KK-DFMx**

Date: August 29, 2024

Title: *Mariza Zamora v. Victoria's Secret Stores, LLC, et al.*Present: The Honorable **KENLY KIYA KATO, UNITED STATES DISTRICT JUDGE**

Noe Ponce

Not Reported

Deputy Clerk

Court Reporter

Attorney(s) Present for Plaintiff(s):

Attorney(s) Present for Defendant(s):

None Present

None Present

Proceedings: (In Chambers) ORDER TO SHOW CAUSE Regarding the Dismissal of Defendant Padin

On August 3, 2023, plaintiff Mariza Zamora (“Plaintiff”) filed the operative First Amended Complaint (“FAC”) asserting general negligence and premises liability claims against defendants Victoria Secret Stores, LLC and Nicolette Padin (“Defendants”) in the Superior Court of California, County of Orange. ECF Docket No. (“Dkt.”) 1-2. The claims in the FAC arise out of an alleged incident on August 3, 2021, when a sign fell and hit Plaintiff while shopping at Defendants’ store, “causing severe injuries.” Dkt. 1-1. On September 6, 2023, Defendants filed a Notice of Removal asserting diversity jurisdiction. Dkt. 1.

In the Joint Case Management Statement, Plaintiff appeared to concede defendant Padin is not a proper party because Padin was not present when the alleged incident occurred, nor had she ever worked on the premises.¹ See dkt. 14 at 2. While Plaintiff stated she would “ascertain if joinder is warranted” see id., to date, Plaintiff has neither dismissed defendant Padin nor filed an update regarding whether defendant Padin is a proper party.

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¹ The Court is not pleased that the parties have not filed a stipulation to dismiss Padin.

Accordingly, Plaintiff is **ORDERED TO SHOW CAUSE** why defendant Padin should not be dismissed. Plaintiff shall file a written response to this Order **no later than seven days from the date of this Order**. Failure to file a timely response will result in defendant Padin being dismissed from this action.

IT IS SO ORDERED.