

FILED

AUG 24 2012

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BY _____
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff,

DELFINA OCHOA, et al.,

Plaintiffs-In-Intervention,

v.

GIUMARRA VINEYARDS CORP.,

Defendant.

1:09-cv-2255 AWI MJS

ORDER DISCHARGING
ORDER TO SHOW CAUSE
AND ORDER CLOSING CASE

On April 14, 2012, the Court issued an order to the Intervenors and Defendant to show good cause why sanctions should not be imposed and the Intervenors' claims dismissed for failure to file dismissal papers as required by Local Rule 160 and a July 6, 2012 order. See Doc. No. 100.

On August 20 and August 21, 2012, the Court received the parties' responses to the order to show cause. See Doc. Nos. 102, 103.¹ The responses show cooperation by the parties and a tacit agreement that dismissal papers would not be filed until a particular part of the settlement agreement had been verified. See id. That verification was not received until August 14, 2012.

¹Doc. No. 102 requests that the Intervenors' response be filed under seal because it of necessity contains information that was expressly made confidential by the settlement agreement. Intervenors have submitted separately to the Court its responding documents. The Court will grant Intervenors' request to seal, and will direct the Clerk to file the Intervenors' response under seal.

1 After consideration of the submissions by the parties, the Court will not impose monetary
2 sanctions. However, the Court admonishes the parties that in future proceedings in this Court,
3 they are to actively communicate with the Court, through telephonic hearings if necessary, in
4 order to ensure more timely compliance with Court orders and the Local Rules.

5 Additionally, on August 14, 2012, the Intervenor and Defendant managed to file their
6 stipulated dismissal with prejudice under Rule 41(a). The stipulation will be effectuated and the
7 Intervenor's claims dismissed in their entirety with prejudice. See Fed. R. Civ. Pro. 41(a).

8 In a separate order, the Court signed a consent decree between the EEOC and Defendant.
9 Although the Court retains jurisdiction under the consent decree, the Court is aware of no
10 outstanding issues or any reasons why this case should not be closed. Thus, the Court will direct the
11 Court to close this case.

12
13 Accordingly, IT IS HEREBY ORDERED that:

- 14 1. Plaintiff-Intervenor's request to file their response under seal to the August 14, 2012
15 Order To Show Cause is GRANTED and the Clerk shall file Plaintiff-Intervenor's
16 response UNDER SEAL;
- 17 2. The August 14, 2012, Order To Show Cause is DISCHARGED;
- 18 3. In accordance with Rule 41(a) and the submissions of the parties, Plaintiff-Intervenor's
19 claims are DISMISSED WITH PREJUDICE in their entirety; and
- 20 4. Because all claims by all parties have now been resolved, the Clerk shall CLOSE this
21 case.

22
23 **IT IS SO ORDERED.**

24
25
26 Dated: 8-29-12



Chief United States District Judge