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

GUADALUPE FONESCA, et al.,

Plaintiff,

vs.

CITY OF FRESNO, et al.,

Defendants.

CASE NO. CV F 10-0147 LJO DLB

ORDER TO SHOW CAUSE WHY SANCTIONS
SHOULD NOT BE IMPOSED FOR FAILURE TO
DISMISS ACTION
(Doc. 82.)

This Court's February 15, 2012 order requires the parties, no later than March 19, 2012, to file appropriate papers to dismiss or conclude this action, or to show good cause why the action has not been dismissed. Defense counsel filed March 15, 2012 papers to suggest that plaintiffs failed to provide necessary releases to conclude settlement and to request an extension to dismiss this action. This Court's Local Rule 110 provides that failure to comply with an order of this Court "may be grounds for imposition by the Court of any and all sanctions authorized by statute or Rule or within the inherent power of the Court."

Accordingly, this Court ORDERS plaintiffs, no later than April 5, 2012, to file papers to show cause why sanctions, including dismissal of this action with or without prejudice and monetary sanctions against counsel and/or plaintiffs, should not be imposed for failure to comply with the February 15, 2012 order. This order to show cause will be discharged if, no later than April 5, 2012, papers are filed to dismiss this action in its entirety.

Moreover, if the parties fail to complete settlement, this Court will explore resetting trial as soon as possible and if necessary, reassigning this action to another district judge, including one from the

1 Sacramento division or another district, to expedite trial.

2 IT IS SO ORDERED.

3 **Dated: March 16, 2012**

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE

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