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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

MARK DELL DONNE et al.,)	Case No.: 1:10-cv-02341 AWI JLT
Plaintiff,)	
v.)	ORDER TO SHOW CAUSE WHY THE MATTER
)	SHOULD NOT BE DISMISSED AND/OR
HERBERT W. HARDT, et al.,)	SANCTIONS IMPOSED FOR FAILURE TO
Defendants.)	PROSECUTE
)	

On January 23, 2013, the Court held the pretrial conference but no party appeared. As a result, the Court issued an order to show cause why sanctions should not be imposed. (Doc. 78) In response, the parties reported they had finalized settlement but failed to inform the Court. (Doc. 79) As a result, the Court discharged the order and indicated it would await a dismissal. (Doc. 80) That order issued on February 12, 2013 and yet no dismissal has been filed.

Therefore, **no later than five days** from the date of this order, the parties SHALL show cause in writing why sanctions should not be imposed, including dismissal, for failure to file the dismissal. In the alternative, the parties SHALL file the stipulated dismissal within that same time frame.

IT IS SO ORDERED.

Dated: September 3, 2013

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE