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

STANISLAUS TOWING & RECOVERY
SERVICES, INC., et al.,

CASE NO. CV F 11-1344 LJO DLB

Plaintiffs,

ORDER TO SHOW CAUSE WHY SANCTIONS
SHOULD NOT BE IMPOSED FOR FAILURE TO
DISMISS ACTION
(Doc. 41.)

vs.

CITY OF MODESTO, et al.,

Defendants.

_____ /

This Court’s August 30, 2012 minute order set a 30-day deadline for the parties to file papers to dismiss this action. The parties have failed to comply with the minute order. 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 the parties, no later than October 10, 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 October 10, 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 Sacramento division or another district, to expedite trial.

IT IS SO ORDERED.

Dated: October 3, 2012

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