

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

DANA STALEY,

Plaintiff,

vs.

CAPITAL MANAGEMENT SERVICES,  
L.P.,

Defendant.

CASE NO. CV F 11-1502 LJO SKO

ORDER TO SHOW CAUSE WHY SANCTIONS  
SHOULD NOT BE IMPOSED FOR FAILURE TO  
DISMISS ACTION

\_\_\_\_\_ /

On October 5, 2011, plaintiff filed a notice of settlement. This Court’s October 6, 2011 order required plaintiff, no later than November 10, 2011, to file appropriate papers to dismiss or conclude this action, or to show cause why this action should not be closed. Plaintiff has failed to file papers to comply with the October 6, 2011 order. This Court’s Local Rule 11-110 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 plaintiff, no later than November 21, 2011, to file papers to show cause why sanctions, including dismissal of this action with or without prejudice and monetary sanctions against counsel and/or the parties, should not be imposed for failure to comply with the October 6, 2011 order. This order to show cause will be discharged if, no later than November 21, 2011, papers are filed to dismiss this action in its entirety.

IT IS SO ORDERED.

**Dated: November 14, 2011**

**/s/ Lawrence J. O'Neill**

UNITED STATES DISTRICT JUDGE

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28