

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

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

NANCY JUNE NOVAK,	)	Case No.: 1:13-cv-01402-BAM
Plaintiff,	)	<b>ORDER TO SHOW CAUSE</b>
v.	)	
MERCED POLICE DEPARTMENT, et al.,	)	
Defendants.	)	
	)	
	)	
	)	
	)	
	)	

On August 23, 2016, the remaining parties to this action participated in a settlement conference, reached a settlement and placed the terms and conditions of the settlement on the record. The parties advised the court that the settlement documents would be exchanged within thirty days and dispositional documents submitted within ninety days. The court also authorized the filing of a motion for attorney’s fees, with said motion to be filed by October 5, 2016. Doc. 79.

On December 2, 2016, the Court issued an order to show cause why sanctions should not be imposed for failing to file timely dispositional documents. Doc. 80. Following submission of a joint status report by Plaintiff Nancy June Novak and Defendants City of Merced, Officer Rasmussen, Sgt. Struble and Officer Chavez, the Court discharged the order to show cause. The Court also directed as

1 follows: (1) Plaintiff's motion for attorney's fees, if any, shall be filed on or before February 3, 2017;  
2 (2) If no motion for attorney's fees is filed, the parties shall file dispositional documents to dismiss or  
3 conclude this action in its entirety on or before February 10, 2017; (3) If a motion for attorney's fees is  
4 filed, the Court shall set a separate deadline for the filing of dispositional documents following  
5 resolution of the motion; and (4) The failure to comply with this order will result in the imposition of  
6 sanctions. The Court further advised Plaintiff that the failure to comply with the order would result in  
7 dismissal of this action. Doc. 82.

8 Plaintiff did not file a motion for attorney's fees in response to the Court's order. The parties  
9 also did not file timely dispositional documents. Accordingly, within **seven (7) days** of the date of  
10 this order, the parties are ORDERED to show cause, if any, why sanctions should not be imposed for  
11 failing to file dispositional documents in compliance with the Court's order. *See* Local Rule 160(b)  
12 (failure to file dispositional papers on the date prescribed the court may be grounds for sanctions).  
13 The parties may comply with this order by filing appropriate papers to dismiss or conclude this action  
14 in its entirety. **Plaintiff is advised that the failure to timely respond to this order to show cause**  
15 **will result in the dismissal of this case without further notice.**

16  
17 IT IS SO ORDERED.

18 Dated: February 27, 2017

/s/ Barbara A. McAuliffe  
19 UNITED STATES MAGISTRATE JUDGE