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6 **UNITED STATES DISTRICT COURT**
7 **EASTERN DISTRICT OF CALIFORNIA**
8

9 **TREVOR WEEKS,**

10 **Plaintiff**

11 **v.**

12 **UNION PACIFIC RAILROAD CO.,**

13 **Defendant**
14

CASE NO. 1:13-CV-1641 AWI JLT

ORDER CLOSING CASE

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16 On March 22, 2018, the Court acknowledged the parties' representations that a signed
17 settlement agreement was in place. See Doc. No. 201. The Court declined to exercise ancillary
18 jurisdiction over the fee dispute between Plaintiff's various counsel. See id. Relying on Local
19 Rule 160(b),¹ the Court viewed the representations of the parties as amended settlement notices
20 and ordered the parties to file dismissal papers within 21 days of service of the March 22, 2018
21 order. See id. The Court warned the parties that the failure to file dismissal papers would result in
22 the Court *sua sponte* dismissing the case with prejudice. See id.; see also Local Rule 110
23 ("Failure of counsel or of a party to comply with these Rules or with any order of the Court may
24 be grounds for imposition by the Court of any and all sanctions authorized by statute or Rule or
25 within the inherent power of the Court.").

26
27 ¹ Local Rule 160(b) reads: "Upon such notification of disposition or resolution of an action or motion, the Court
28 shall fix a date upon which the documents disposing of the action or motion must be filed, which date shall not be
more than twenty- one (21) days from the date of said notification, absent good cause. The Court may, on good cause
shown, extend the time for filing the dispositional papers. A failure to file dispositional papers on the date prescribed
by the Court may be grounds for sanctions. See L.R. 272."

1 The 21-day deadline for the parties to file dismissal papers has now passed. Given the
2 Court's warning about a *sua sponte* dismissal, the Court can only conclude that the parties intend
3 for a dismissal with prejudice to occur. Therefore, given that the parties did not obey the Court's
4 order and file dismissal papers despite the Court's warning, the violation of Local Rule 160(b),
5 and the fact that a settlement of the claims between Plaintiff and Defendant has been achieved, the
6 Court will follow through on its warning and dismiss this case with prejudice.

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8 **ORDER**

9 Accordingly, IT IS HEREBY ORDERED that:

- 10 1. Pursuant to Local Rules 110 and 160(b), as well as the Court's March 22, 2018 order, this
11 case is DISMISSED with prejudice; and
12 2. The Clerk shall CLOSE this case.

13 IT IS SO ORDERED.

14 Dated: April 13, 2018

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17 SENIOR DISTRICT JUDGE
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