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

MICHAEL TOLLE,

Case No. 1:15-cv-01797-LJO-SKO

Plaintiff,

**ORDER TO SHOW CAUSE WHY  
THIS CASE SHOULD NOT BE  
RECOMMENDED FOR DISMISSAL**

v.

PORTFOLIO RECOVERY ASSOCIATES  
LLC,

Defendant.

\_\_\_\_\_ /

On March 10, 2016, the parties filed a Notice of Settlement indicating that settlement had been reached and requesting “45 days to file the necessary dismissal papers.” (Doc. 10.) By its order entered on March 11, 2016, the Court granted the parties’ request and ordered that the parties file “appropriate papers to dismiss or conclude this action in its entirety” by April 25, 2016. (Doc. 11.) The Court cautioned that “[f]ailure to comply with this order may be grounds for the imposition of sanctions on counsel or parties who contributed to the violation of this order.” (*Id.*) The parties failed to file their dismissal papers by April 25, 2016. (*See* Docket.)

By its order entered on September 12, 2016, the Court ordered the parties to file their dismissal documents, or a joint status report indicating why such documents cannot be timely

1 filed, by no later than 5:00 p.m. on September 21, 2016. (Doc. 12.) To date, no dismissal  
2 documents have been filed.

3 Accordingly, the Court ORDERS that, by no later than March 6, 2017, the parties shall file  
4 dismissal documents or a statement showing cause why the Court should not recommend to the  
5 presiding district court judge that this action be dismissed. The Court further CAUTIONS the  
6 parties that, if they fail to file this statement by March 6, 2017, the Court will recommend to the  
7 presiding district court judge that this action be dismissed, in its entirety.

8 The Court DIRECTS the Clerk to send a copy of this order to Plaintiff at his address listed  
9 on the docket for this matter.

10 IT IS SO ORDERED.

11 Dated: February 27, 2017

*/s/ Sheila K. Oberto*  
UNITED STATES MAGISTRATE JUDGE

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