

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

HERBERT DYER,
Plaintiff,
v.
FORD MOTOR COMPANY,
Defendant.

) Case No.: 1:17-cv-01183 - DAD - JLT
)
) ORDER DISCHARGING THE ORDER TO SHOW
) CAUSE DATED NOVEMBER 20, 2017
)
) ORDER GRANTING DEFENDANT AN
) EXTENSION OF TIME TO RESPOND TO THE
) COMPLAINT AND CONTINUING THE
) SCHEDULING CONFERENCE
)

Previously, the Court granted Defendant an extension of time to file a response to Plaintiff's complaint, ordering Defendant to file its response no later than October 27, 2017. (Doc. 9) Defendant failed to file a response, after which the Court issued an order to show cause to Plaintiff to show why sanctions should not be imposed for his failure to prosecute the action through seeking the entry of default. (Doc. 10)

On November 22, 2010, the parties filed a joint response to the Court’s order, asserting that “[g]ood cause exists not to order sanctions and dismiss this action because the parties have been engaged in settlement discussions.” (Doc. 11 at 2) In addition, the parties report they “are now in the process of finalizing the settlement.” (*Id.*) Currently, the parties anticipate filing a Notice of Settlement in approximately thirty days. (*Id.*) Therefore, the parties also request a continuance of the Scheduling Conference set with the Court from November 30, 2017 to December 28, 2017. (Doc. 12)

111

Based upon the stipulation of the parties and good cause appearing, the Court **ORDERS**:

1. The Order to Show Cause dated November 20, 2017 (Doc. 10) is **DISCHARGED**;
2. Defendant **SHALL** file its response to Plaintiff's complaint no later than **December 14, 2017**; and
3. The Scheduling Conference is **CONTINUED** to **December 28, 2017** at 8:30 a.m.

IT IS SO ORDERED.

Dated: **November 27, 2017**

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE