

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

THERESA BROOKE,

Case No. 1:21-cv-00958-DAD-SKO

Plaintiff,

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

V

## MODESTO HOSPITALITY LLC.

Defendant.

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On August 18, 2021, Plaintiff filed a Notice of Settlement, indicating that the parties had settled the matter and “anticipate[d] filing closing documents in the coming month.” (Doc. 5.) By its minute order entered on August 19, 2021, the Court ordered that the parties file, by no later than September 30, 2021, dispositional documents requesting dismissal of the action due to a settlement. (Doc. 6.) The Court cautioned that “[f]ailure to comply with this order may be grounds for the imposition of sanctions on any and all counsel as well as any party or parties who cause non-compliance with this order.” (*Id.*) The parties failed to file their dismissal papers by September 30, 2021. (See Docket.)

1 By its minute order entered on December 28, 2021, the Court ordered the parties to file their  
2 dismissal documents by no later than January 7, 2022. (Doc. 7.) To date, no dismissal documents  
3 have been filed.

4 Accordingly, the Court ORDERS that, by no later than January 18, 2022, the parties shall  
5 file dismissal documents, or a statement showing cause why the Court should not recommend to  
6 the presiding district court judge that this action be dismissed. The Court further CAUTIONS the  
7 parties that, if they fail to file this statement by January 18, 2022, the undersigned will recommend  
8 to the presiding district court judge that this action be dismissed, in its entirety.

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10 IT IS SO ORDERED.

11 Dated: January 10, 2022

12 /s/ Sheila K. Oberto  
13 UNITED STATES MAGISTRATE JUDGE

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