

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

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

FEDERAL INSURANCE COMPANY, a New Jersey corporation,)	2:11-cv-00586-GEB-KJN
)	
Plaintiff,)	<u>ORDER CONTINUING STATUS</u>
)	<u>(PRETRIAL SCHEDULING)</u>
v.)	<u>CONFERENCE</u>
)	
JAS FORWARDING (USA), INC., a Washington corporation; SIERRA BAY TRANSPORT, INC., a California corporation; and DOES 1-10, inclusive,)	
)	
Defendants.)	
)	

The following portion of Plaintiff's Status Report filed June 13, 2011 reveals this case is not ready to be scheduled:

1. On March 3, 2011 Defendants JAS Forwarding ("JAS") and Sierra Bay Transport ("SBT") were served with the Summons and Complaint. Subsequently, on April 1, 2011, Plaintiff filed its First Amended Complaint ("FAC"). JAS was served with the FAC on June 8, 2011. SBT has not been served to allow for further settlement negotiations. Neither Defendant has filed any responsive pleading to the original Complaint or the FAC.

2. Due to the present state of the case, this report was not filed jointly and a discovery and motion plan has not been set. Plaintiff anticipates, however, that the case will follow due course and does not anticipate any special circumstances should it not settle.

3. The parties will be in a better situation to evaluate any discovery and motion plan once all parties have been served and Defendants have filed any necessary responsive pleadings.

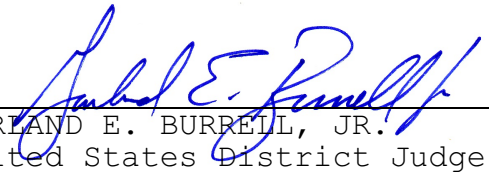
1 (ECF No. 11, 1:21-2:2.) Plaintiff does not indicate what steps it is
2 taking to prosecute this action in the event the referenced settlement
3 negotiations do not resolve this action.
4

5 Therefore, no later than 4:00 p.m. on July 18, 2011 Plaintiff
6 shall either file whatever documents are required to prosecute this case
7 as a default matter, or a document showing cause why this action should
8 not be dismissed for failure of prosecution

9 Further, the status conference scheduled for hearing on June
10 27, 2011, is continued to commence at 9:00 a.m. on August 29, 2011. A
11 status report shall be filed fourteen (14) days prior to the status
12 conference.

13 IT IS SO ORDERED.

14 Dated: June 17, 2011

15 
16 _____
GARLAND E. BURRELL, JR.
17 United States District Judge
18
19
20
21
22
23
24
25
26
27
28