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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERT McCARTHY,

Plaintiff,

v.

SAINI LODGING INVESTMENT, LLC,

Defendant.

No. 2:16-cv-0505-KJM-AC

ORDER

After both parties missed their joint status report filing deadline, the court issued an order to show cause why the case should not be dismissed or the parties sanctioned. Order, Oct. 25, 2016, ECF No. 10. Defendant's counsel, Mr. Vaughan, responded within a week, explained his error, and took personal responsibility for it. Def's Response, Nov. 2, 2016, ECF No. 11. Plaintiff's counsel, Mr. Wakefield, waited two months to respond and did not take responsibility for his error. Pl.'s Response, Jan. 2, 2017, ECF No. 14.

While noting the unsatisfying nature of Mr. Wakefield's response, the court nonetheless will not dismiss this case given both parties' representations as to the impending settlement. Accordingly, the court DISCHARGES the October 25, 2016 order to show cause. (ECF No. 10).

1 Both parties requested 60 more days to finalize settlement negotiations. Plaintiff's  
2 requested 60 days would have ended on January 1, 2017; defendant's on March 3, 2017. *See*  
3 ECF No. 11 at 2, ECF No. 14 at 1. Given this time lapse, the court grants the parties only  
4 fourteen (14) more days to finalize their settlement efforts. The parties must jointly file a  
5 settlement status update by 5:00 PM on May 12, 2017. The court will impose a \$250 sanction  
6 against each party should this deadline go unheeded.

7 IT IS SO ORDERED.

8 DATED: May 28, 2017

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12 UNITED STATES DISTRICT JUDGE  
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