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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KAYLA FRISELLA, et al.,
Plaintiffs,
v.
HARWINDER BISLA, et al.,
Defendants.

No. 2:16-cv-0586 CKD

ORDER TO SHOW CAUSE

Pro se defendant Harwinder Bisla was, until recently, incarcerated in the Placer County Jail, awaiting trial on criminal charges. (See ECF Nos. 25, 32, 33.) On October 31, 2017, the court concluded that it was appropriate to stay this matter, pending the outcome of Mr. Bisla’s criminal proceeding. (ECF No. 28.) On May 2, 2018, the court continued the stay and ordered parties to file a joint status report on or before October 1, 2018, updating the court on Mr. Bisla’s status, and whether it is appropriate to lift the stay. (ECF No. 31.)

On May 29, 2018, Mr. Bisla notified the court that he had been released from jail, but that his criminal matter was “still on going without resolution in the foreseeable future.” (ECF No. 32.) Mr. Bisla again notified the court that, as of August, 20, 2018, the criminal matter was “still on going without resolution in the foreseeable future.” (ECF No. 33.)

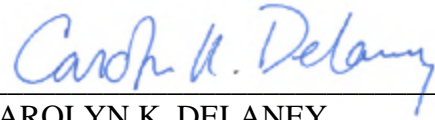
On October 1, 2018, plaintiffs filed a status report, indicating that they have been unable to reach Mr. Bisla in order to complete and submit a joint status report. (ECF No. 34 at 1.) To

1 plaintiffs' knowledge there is no indication that Mr. Bisla's criminal matter will be resolved in the
2 foreseeable future. (Id.) However, plaintiffs assert that a continued stay is not appropriate
3 because the subject matter of the criminal proceeding and the instant matter do not overlap, and it
4 is "not at all clear how the Fifth Amendment would be implicated in Defendant's testimony in the
5 civil matter." (Id. at 2.) Thus, plaintiffs request that the stay be lifted and a trial date be
6 reassigned. (Id.)

7 Accordingly, IT IS HEREBY ORDERED that:

- 8 1. Within 14 days of this order, defendant shall show cause in writing why the stay
9 should not be lifted and explain why he failed to participate in the filing of a joint
10 status report as ordered.

11 Dated: October 10, 2018



12 CAROLYN K. DELANEY
13 UNITED STATES MAGISTRATE JUDGE

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