

1
2
3
4 **UNITED STATES DISTRICT COURT**
5 **EASTERN DISTRICT OF CALIFORNIA**
6

7
8 TERRI ENBORG, et al.

9 Plaintiff,

10 v.

11 ETHICON, INC., et al.,

12 Defendants.
13

CASE NO. 2:20-cv-02477-AWI-BAK

**ORDER TO SHOW CAUSE RE:
DISMISSAL**

(Doc. No. 280)
14
15

16 Trial in this action was set for June 21, 2022, with the corresponding trial confirmation
17 hearing set for May 31, 2022. Doc. No. 181 at 1. On May 31, 2022, the parties filed a notice of
18 settlement agreement in principle and requested that pending dates be vacated while the settlement
19 agreement was finalized. Doc. No. 276 at 2. The Court granted that request and issued an order
20 effectively setting July 15, 2022 as the deadline to file dispositional documents. Doc. No. 279.

21 On July 15, 2022, counsel for Plaintiff Terri Enborg filed a request to extend the deadline
22 to file dispositional documents to September 13, 2022. Doc. No. 280 at 2:7-8. The request stated
23 that the settlement release was “in Ms. Enborg’s possession” but that she had not yet executed it.
24 Id. at 1:27-28. Further, the request stated that additional time was needed to “allow for Ms. Enborg
25 to fully execute her settlement release” and that Defendants did not object to the relief requested.
26 Id. at 2:1-4.

27 Both the July 15, 2022 deadline set by the Court and the September 13, 2022 deadline
28 requested by Plaintiff have now passed and more than three months have gone by since the Court

1 granted the parties request to suspend this action. Further, it appears from Plaintiff's own filing
2 that the delay in filing dispositional papers is due entirely to inaction on Plaintiff's part.

3 Plaintiff is therefore ORDERED to either file dispositional papers or to show cause in
4 writing why this action should not be dismissed for failure to prosecute on or before September
5 21, 2022. If Plaintiff fails to make one of these filings by the specified date, this action will be
6 dismissed in its entirety and with prejudice for failure to prosecute without further notice to the
7 parties. See Aquino v. Rasavi, 2018 WL 1116749 (N.D. Cal. Mar. 1, 2018). **No extensions of**
8 **time will be granted.**

9 This order resolves Document Number 280 on the Court's electronic docket.

10 IT IS SO ORDERED.

11 Dated: September 16, 2022

12 
13 SENIOR DISTRICT JUDGE

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28