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

BOARD OF TRUSTEES, ET AL.,

Plaintiffs,

No. C 09-04408 JSW

v.

ORDER TO SHOW CAUSE

SUMMIT MECHANICAL SYSTEMS, INC.,
ET AL.,

Defendants.

_____ /

By Order entered on February 4, 2011, the Court continued the case management conference in this action to March 4, 2011, pursuant to the parties' stipulated request, having "agreed to the terms of a written Settlement Agreement," for further continuance of the case management conference "to permit the Parties sufficient time to execute all of the documents, and for Plaintiffs to request a dismissal of this action." (Doc. no. 43.) Because the parties did not file a timely joint case management statement nor a request for dismissal, by Order dated March 4, 2011, the Court continued the case management conference to March 25, 2011. The Court further ordered the parties to submit a joint status report to the Court by no later than March 11, 2011, as to whether and when they expect to file a dismissal of this action. The parties have filed neither the joint status report nor a timely case management conference statement as required by the Court's orders.

The Court hereby ORDERS Plaintiffs to show cause in writing, by March 31, 2011, why the Complaint should not be dismissed for failure to comply with the Court's orders and failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). Plaintiffs' failure to file a

United States District Court
For the Northern District of California

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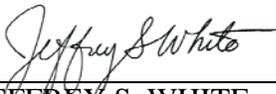
timely response to this show cause Order will result in a dismissal of this action for failure to prosecute.

The Court further ORDERS Plaintiffs' counsel Henry Y. Chiu and Michael Edward Moss and defense counsel Nathalie A. Le Ngoc to show cause why monetary sanctions in the amount of \$500 each should not be imposed on Messrs. Chiu and Moss and Ms. Ngoc for failure to comply with Court orders. Counsel shall respond in writing by March 31, 2011 as to why such sanctions should not be imposed.

The case management conference set for March 25, 2011, is hereby VACATED.

IT IS SO ORDERED.

Dated: March 21, 2011



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE