

United States District Court
For the Northern District of California

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

NEEKA S. SMITH,
Plaintiff,
v.
CITY AND COUNTY OF SAN FRANCISCO,
Defendant.

No. C 09-5608 SI

**ORDER TO SHOW CAUSE
RE FAILURE TO APPEAR AT
CASE MANAGEMENT CONFERENCE;
AND RE DISMISSAL BASED UPON
SETTLEMENT**

This matter came on for a regularly-scheduled case management conference on Friday, November 5, 2010. Defendant was present through counsel, but plaintiff did not appear, either in person or through counsel.

Defendant represents that the action has been settled and that a settlement check was mailed to plaintiff's counsel on October 29, 2010, and requested at the case management conference that the action be dismissed. Because no one representing plaintiff attended the conference, it was not possible to confirm the settlement or enter dismissal as requested.

Accordingly, plaintiff is hereby ORDERED to show cause, **in writing filed with the Court and served on opposing counsel no later than November 17, 2010**, why she failed to appear; whether the matter has in fact been settled and whether the settlement check has been cashed; and whether the action may now be dismissed. Failure to comply with this order may result in sanctions.

IT IS SO ORDERED.

Dated: November 12, 2010



SUSAN ILLSTON
United States District Judge