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UNITED STATES DISTRICT COURT
Northern District of California
San Francisco Division

ALICE MONROE,

No. C 12-03840 LB

Plaintiff,

**ORDER DISCHARGING ORDER TO
SHOW CAUSE AND CONTINUING
CASE MANAGEMENT
CONFERENCE**

v.

ORCHARD SUPPLY HARDWARE, et al.,

Defendants.

Defendants removed the case to this court on July 23, 2012. *See* Notice of Removal, ECF No. 1. On June 18, 2013, Orchard Supply Hardware (“OSH”) filed a notice of filing of bankruptcy petition, that effectively stayed this case. *See* ECF No. 33. To ensure that the case proceeded appropriately, the court set a further case management conference for December 19, 2013, and directed the parties to file a joint case management conference statement by December 12, 2013. The parties failed to comply.

On December 13, 2013, the court issued a Clerk’s Notice regarding the parties’ failure to file their joint case management conference statement. ECF No. 40. The court directed the parties to file their joint case management conference statement by January 2, 2014. Again, neither party complied. Plaintiff filed a case management conference statement on January 3, 2014. *See* ECF No. 41. OSH again failed to respond. Accordingly, on January 7, 2014, the court ordered OSH to file a joint case management conference statement and show cause why it should not be sanctioned for failure to comply with the court’s directives. Order to Show Cause, ECF No. 42.

On January 16, 2014, the parties filed a Joint Case Management Conference Statement. *See* ECF No. 43. In it, OSH explains that it believed that it was not obligated to file case management conference statements in this matter because of the automatic stay imposed by the Bankruptcy court.

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For case management purposes and docket control, the court requires such updates.

In light of OSH's explanation, the court **DISCHARGES** the order to show cause and continues the case management conference to Thursday, May 1, 2014 at 11:00 a.m. The parties shall file a joint case management conference statement no later than April 24, 2014.

IT IS SO ORDERED.

Dated: January 17, 2014



LAUREL BEELER
United States Magistrate Judge