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United States District Court
For the Northern District of California

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

ELSA LAZARTE,
Plaintiff,
v.
VELOCITY EXPRESS LEASING, INC.,
VELOCITY EXPRESS INC., VELOCITY
EXPRESS, LLC.
Defendants.

No. C-13-5654 MMC

**ORDER DISCHARGING ORDER
DIRECTING DEFENDANTS TO SHOW
CAUSE WHY SANCTIONS SHOULD
NOT BE ISSUED; DIRECTIONS TO
PLAINTIFF**

By order filed June 24, 2015, the Court directed plaintiff and defendants to show cause, separately, why sanctions should not be imposed for their third failure to file a timely case management statement. Before the Court are separate responses from plaintiff and defendants, each response having been filed July 2, 2015. Having read and considered the responses, the Court rules as follows.


As defendants have sufficiently explained the reason for their participation in the late filing, the Court finds imposition of sanctions on defendants are unwarranted, and, accordingly, hereby DISCHARGES the order to show cause as to defendants.

Plaintiff's response asserts that plaintiff has been prosecuting her case by, *inter alia*, attempting to settle the matter, but does not address the issue identified in the order to show cause, specifically, why plaintiff should not be sanctioned for filing, for the third time,

1 an untimely case management statement. Consequently, the Court will not discharge the
2 order to show cause as to plaintiff. Rather than impose sanctions at this time, however, the
3 Court will afford plaintiff leave to file, no later than July 31, 2015, a supplement to her
4 response, to address why she should not be sanctioned for failing to file a timely case
5 management statement.

6 **IT IS SO ORDERED.**

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8 Dated: July 17, 2015


MAXINE M. CHESNEY
United States District Judge

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