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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ALEJANDRO SANCHEZ, ET AL.,
Plaintiffs,
v.
OCEANSIDE INVESTMENTS, INC., et al.,
Defendants.

Case No. [15-cv-03453-MEJ](#)

STATUS REPORT ORDER

ORDER TO SHOW CAUSE

Re: Dkt. No. 55

On May 5, 2017, the Court issued a Status Report Order in which it ordered the parties to take certain steps to resolve the action no later than June 2, 2017:

1. Defendant Gable Jackson Payne (“Payne”) to dismiss his counterclaims, or file a declaration that he intends to prosecute his counterclaims;
2. Plaintiffs Alejandro Sanchez and Juan Sanchez (collectively, “Plaintiffs”) to file a notice of dismissal as to Defendant Oceanside Investment, Inc. (“Oceanside”) or (2) a status report as to how they intend to proceed against Oceanside in light of its status as a suspended corporation; and
3. Plaintiffs and Defendant Jeffe Payne Leffler (“Leffler”) to file either a joint statement indicating whether further alternative dispute resolution efforts would be productive or a notice of settlement.

Order ¶¶ 1-3, Dkt. No. 52. The Court vacated all trial and trial-related dates and set a case management conference for September 28, 2017 at 10:00 a.m. *Id.* ¶ 4.

On May 30, 2017, Plaintiffs filed a notice of settlement as to Leffler. Notice, Dkt. No. 54. On May 31, 2017, Payne filed a status report indicating he intends to prosecute his counterclaims against Plaintiffs. Dkt. No. 55.

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However, Plaintiffs did not respond to the Court’s Order as to Oceanside. Accordingly, the Court **ORDERS** the following:

1. Plaintiffs shall show cause why their case against Oceanside should not be dismissed for failure to prosecute and failure to comply with court deadlines. Plaintiffs shall file a declaration by **June 12, 2017**. If a responsive declaration is filed, the Court shall either issue an order based on the declaration or conduct a hearing on **June 29, 2017** at 10:00 a.m. in Courtroom B, 15th Floor, 450 Golden Gate Avenue, San Francisco, California. Notice is hereby provided that failure to file a written response will be deemed an admission that Plaintiffs do not intend to prosecute, and the case will be dismissed without prejudice. Thus, it is imperative that the Court receive a written response by the deadline above.
2. In light of Payne’s intention to prosecute his counterclaims and Plaintiffs’ anticipated dismissal of claims against Leffler (*see* Notice), Plaintiffs and Payne shall file a joint status report indicating whether they believe a further settlement conference, mediation, or other alternative dispute resolution process would be productive. The parties shall file their status report by **June 19, 2017**.

IT IS SO ORDERED.

Dated: June 5, 2017



MARIA-ELENA JAMES
United States Magistrate Judge