

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JORGE AQUINO,
Plaintiff,
v.
E. RASAVI,
Defendant.

Case No. [16-cv-03167-WHO](#) (PR)

**ORDER TO SHOW CAUSE WHY
THIS ACTION SHOULD NOT BE
DISMISSED**

Plaintiff Jorge Aquino is ordered to show cause on or before **April 9, 2018** why this action should not be dismissed for failure to prosecute. Defendant has informed the Court that the parties have reached a settlement and that he is waiting for plaintiff Aquino to sign the settlement agreement. However, the case was reported settled in October 2017. (Dkt. No. 35.) It is now March 2018. It appears from this delay that Aquino is failing to prosecute this action as he is required to do. Accordingly, on or before **April 9, 2018**, Aquino must either (1) sign the agreement, provide defendant with a copy of the signed agreement, and inform this Court in writing that he has signed the agreement; or (2) inform the Court that he has declined to sign the agreement and wishes to proceed to summary judgment. Failure to file an appropriate and timely response to this order will result in the dismissal of this action with prejudice for failure to prosecute. **No extensions of time will be granted.**

If Aquino signs the agreement and sends defendant a copy, the Court assumes the parties will file a stipulation for voluntary dismissal within a very short time thereafter.

IT IS SO ORDERED.

Dated: March 1, 2018


WILLIAM H. ORRICK
United States District Judge