

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DAVID MORSE,

Plaintiff,

VS.

MITCHELL J. CELAYA, III, et al.,

## Defendants.

Case No.: C-10-05594-YGR

**ORDER TO SHOW CAUSE WHY THE ACTION  
SHOULD NOT BE DISMISSED FOR FAILURE TO  
FILE PRE-TRIAL STATEMENTS**

This action is scheduled for trial on July 9, 2012. (Dkt. No. 66.) The deadline for pre-trial statements passed on June 8, 2012 and the parties filed no statements. The pre-trial conference is currently scheduled for June 22, 2012 at 9:00 a.m. The Court understands that the parties have settled, but are continuing to work out finalization of the settlement.

The parties are hereby **ORDERED TO SHOW CAUSE** why the Court should not immediately dismiss this action in light of the parties' failure to file any pre-trial documents on June 8, 2012. The Order to Show Cause hearing shall be held on June 25, 2012 at 2:00 p.m., in a courtroom to be designated. Five (5) business days prior to the date of the compliance hearing, the parties shall file a joint statement regarding whether there is good cause for the Court to delay dismissing this action at this time.

The Court further **VACATES** and re-sets the pre-trial conference for June 25, 2012 at 2:00 p.m.

## IT IS SO ORDERED.

Dated: June 12, 2012

*Yvonne Gonzalez Rogers*  
YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT COURT JUDGE