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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SEAN O'TOOLE, et al.,  
Plaintiffs,  
v.  
CITY OF ANTIOCH, et al.,  
Defendants.

Case No. 11-cv-1502-PJH

**ORDER RE DISMISSAL OF CLAIMS  
AGAINST NORMAN WIELSCH**

United States District Court  
Northern District of California

In response to the court's order dated December 10, 2015 (Dkt. 231), defendant Norman Wielsch filed a statement explaining that the settlement payment due to plaintiffs is still being processed, and requesting that the court hold this matter in abeyance until January 15, 2016. While the court is aware of the delays inherent in matters requiring approval of a government entity, the court also finds that defendant Wielsch has been less than diligent in informing the opposing parties and the court of the need to extend the conditional dismissal period. Thus, while the court will extend the conditional dismissal period until **January 19, 2016**, it will not grant any further extensions unless supported by sufficient evidence. To that end, if the settlement payment has not been tendered to plaintiffs by the above deadline, defendant Wielsch will be ORDERED to SHOW CAUSE as to why the conditional dismissal should not be vacated and the matter returned to the court's calendar. The order to show cause hearing will be held on **January 20, 2016 at 9:00am**. Lead counsel's appearance at the order to show cause hearing is mandatory. If the settlement payment is tendered on or before January 19, 2016, the parties shall file a notice with the court requesting that the hearing be taken off

1 calendar.

2 **IT IS SO ORDERED.**

3 Dated: December 17, 2015



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PHYLLIS J. HAMILTON  
United States District Judge

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