United States District Court
For the Northern District of California

1

2

3

4

5

6

7   IN THE UNITED STATES DISTRICT COURT

8   FOR THE NORTHERN DISTRICT OF CALIFORNIA

9   SAN JOSE DIVISION

10   Ferenando Martinez, et al.,   NO. C 07-01705 JW

11   Plaintiffs,   **ORDER TO SHOW CAUSE**
       v.   **RE: SETTLEMENT**

12

13   Autowest Collision Repairs, Inc., et al.,

14   Defendants.
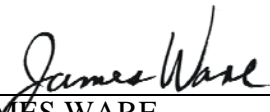   /

15   On June 24, 2008, the mediator filed a Certificate of Mediation informing the Court that the

16 above-entitled matter has reached a settlement. (See Docket Item No. 39.) In light of the settlement,

17 the Court vacates all trial and pretrial dates. On or before **October 10, 2008**, the parties shall file a

18 stipulated dismissal pursuant to Federal Rule of Civil Procedure 41(a).

19   If a dismissal is not filed by the specified date, all parties shall appear in Courtroom No. 8,

20 4th Floor, United States District Court, 280 South First Street, San Jose, Ca. on **October 20, 2008 at**

21 **9:00 a.m.** and to show cause, if any, why the case should not be dismissed pursuant to Fed. R. Civ.

22 P. 41(b). On or before **October 10, 2008**, the parties shall file a joint statement in response to the

23 Order to Show Cause. The joint statement shall set forth the status of the activities of the parties for

24 finalizing the settlement and how much additional time is requested to finalize and file the dismissal.

25 If a voluntary dismissal is filed as ordered, the Order to Show Cause hearing will be automatically

26 vacated.

27

28

Failure to comply with any part of this Order will be deemed sufficient grounds to dismiss this action.

Dated: October 2, 2008

JAMES WARE
United States District Judge

United States District Court

For the Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:

Damien Patrick Lillis dlillis@slplawfirm.com
James Dal Bon jdblaw@earthlink.net
Jose A. Cordova jcordova@sfdavislaw.com
Timothy Charles Davis tdavis@sfdavislaw.com

Dated: October 2, 2008   **Richard W. Wieking, Clerk**

                                                          By: /s/ JW Chambers
                                                                  Elizabeth Garcia
                                                                  Courtroom Deputy