

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

JANICE EVANS,

Plaintiff,

v.

H.K.N. IV, LLC, ET AL.,

Defendants.

Case No.: C 10-05752 PSG

**ORDER DISSOLVING JULY 29, 2011  
ORDER TO SHOW CAUSE**

**(Docket No. 61)**

The court ordered Plaintiff Janice Evans (“Evans”) to show cause why the case should not be dismissed for failure to prosecute.<sup>1</sup> Pursuant to General Order No. 56, Evans did not timely file a Notice of Need for Mediation. On August 3, 2011, Evans filed the following response:

Four (4) of the seven (7) Defendants are in intermediate to advanced levels of confidential settlement negotiations with Plaintiff and site inspections have occurred at each of those Defendants’ facilities. Plaintiff has settled with another Defendant and is awaiting payment in order to file the appropriate dismissal papers. Plaintiff has had significant challenges scheduling one of the remaining two Defendants’ site inspections, and has in fact been diligently attempting to do so for some time, but such site inspection is now on calendar for August 10, 2011. Plaintiff and the last remaining Defendant have had settlement discussions but must schedule a site inspection which Plaintiff will do imminently.

In light of the above events, Evans requested that the court allow her until August 31, 2011 to file a Notice of Need for Mediation. Having considered Evans’ response,

<sup>1</sup> See Docket No. 61.

1 IT IS HEREBY ORDERED that the July 29, 2011 Order to Show Cause is dissolved.  
2 No later than August 31, 2011, Evans shall file a Notice of Need for Mediation. No further delays  
3 will be permitted.

4 Dated: August 5, 2011

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6 PAUL S. GREWAL  
7 United States Magistrate Judge  
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