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4 Attorneys for Plaintiffs

7 **IN THE UNITED STATES DISTRICT COURT**
 8 **FOR THE NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION**

10 ESTATE OF VINCENT MCLAUGHLIN
 and RAQUEL MCLAUGHLIN-RAY

11 Plaintiffs,

12 vs.

13 TERRI OWEN, et al.

14 Defendants.

CASE NO. CV11-02287 EJD

**JOINT RESPONSE TO ORDER TO
 SHOW CAUSE (Dkt. Entry 54) and
~~proposed~~ ORDER**

[Standing Order I.B.]

Prelim. Pretrial Conf. Date: **August 17,
 2012**

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 18 On August 8, 2012, this Court issued an ORDER TO SHOW CAUSE RE:
 19
 20 SETTLEMENT (Dkt. Entry 54), requiring the parties to file a joint statement or a
 21 stipulated dismissal no later than September 7, 2012, and otherwise to appear before
 22 the court at 9:00 a.m. on September 14, 2012, to show cause why the case should not
 23 be dismissed pursuant to Federal Rule of Civil Procedure 41(b).

24
 25 Because of the large number of attorneys and parties involved, and various
 26 unavailabilities of counsel during the four weeks since the Court issued its Order to
 27
 28

1 Show Cause, the parties have not yet executed the settlement agreement. Therefore,
2 the Court should not yet dismiss the case.

3
4 However, as of the date of filing hereof, all counsel have finalized the terms
5 of the written settlement agreement. It is expected that the agreement can be
6 circulated to the parties for final execution immediately.

7
8 Therefore, the undersigned jointly request that the Court continue the dates
9 set in its prior Order to Show Cause by 21 days in order that the parties and their
10 counsel can execute the finalized settlement agreement and thereafter prepare and
11 submit a stipulated dismissal.

12 Dated: September 7, 2012

THE LAW OFFICE OF JOSEPH A. CREITZ,
P.C.

14
15 /s/ Joseph A. Creitz

16 Joseph A. Creitz
Attorneys for Plaintiffs

17
18
19 Dated: September 7, 2012

LAW OFFICE MICHAEL MARQUEZ

20
21 /s/ Michael Marquez

22 Michael Marquez
Attorneys for Plaintiffs

23
24 Dated: September 7, 2012

GORDON & REES LLP

25
26 /s/ Jordan Altura

27 Jordan S. Altura
Attorneys for Defendant
28 Aetna Life Insurance Company

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Dated: September 7, 2012

CASAS, RILEY, & SIMONIAN

/s/ Gregory C. Simonian

Gregory C. Simonian
Valerie S. Higgins
Attorneys for Defendant
Media News Group

Dated: September 7, 2012

LAW OFFICE OF SANDRA DEMENT

/s/ Sandra Dement

Sandra Dement
Attorneys for Defendant
Terri Owen

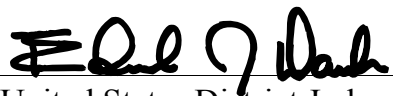
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~~proposed~~ ORDER

Upon the joint request of all parties, and good cause appearing, the September 14, 2012 hearing on the Order to Show Cause previously set by this court is **continued** by 21 days, to October 5, 2012, at 9:00 AM in Courtroom No. 4, 5th Floor United States District Court, 280 South First Street, San Jose, California, 95113. On or before September 28, 2012, the parties shall file another joint statement in response to the Court's Order to Show Cause (Dkt. Entry 54) setting forth the status of settlement efforts as well as the amount of additional time necessary to finalize and file a dismissal. The Order to Show Cause will be automatically vacated and the parties relieved of the obligation to file a joint statement if a stipulated dismissal pursuant to Federal Rule of Civil Procedure 41(a) is filed on or before September 28, 2012.

IT IS SO ORDERED

Dated: September 11, 2012


United States District Judge