

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ANDREW PENG,

No. 5:12-cv-00574 EJD

Plaintiff,

**ORDER TO SHOW CAUSE RE:
SETTLEMENT**

v.

GEM SERVICES INC,

Defendant.

_____ /

United States District Court
For the Northern District of California

The parties, having filed a Notice of Settlement on July 1, 2012 (See Docket Item No. 40), are ordered to appear before the Honorable Edward J. Davila on **September 7, 2012 at 9:00 AM** in Courtroom No. 4, 5th Floor, United States District Court, 280 South First Street, San Jose, California, 95113, to show cause why the case should not be dismissed pursuant to Federal Rule of Civil Procedure 41(b). On or before **August 31st, 2012**, the parties shall file a joint statement in response to the Order to Show Cause 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 shall 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 **August 31st, 2012**.

All pending motions, pretrial deadlines and hearing dates are terminated.

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

IT IS SO ORDERED.

Dated: 7/2/2012


EDWARD J. DAVILA
UNITED STATES DISTRICT JUDGE