

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

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

KENNETH P. TOPKA, PH.D,

Plaintiff,

v.

THE SETI INSTITUTE,

Defendant.

No. 5:13-cv-01283-EJD

**ORDER TO SHOW CAUSE RE:
SETTLEMENT**

The parties, having settled fully resolved this matter through early neutral evaluation on **September 24, 2013** (See Docket Item No. 28), are ordered to appear before the Honorable Edward J. Davila on **December 6, 2013 at 10:00 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 **November 25, 2013**, 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 **November 25, 2013**.

All other pretrial deadlines and hearing dates are VACATED and any pending motions 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: September 26, 2013



EDWARD J. DAVILA
UNITED STATES DISTRICT JUDGE