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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

DARIAN ADEL, individually and on behalf of all others similarly situated, CASE NO. 5:13-cv-02365 EJD

ORDER TO SHOW CAUSE

Plaintiff(s),

v.

INTUITIVE SURGICAL, INC., et. al.,

Defendant(s).

On July 2, 2013, the court scheduled the above-entitled action for a Case Management Conference to occur on August 16, 2013. See Docket Item No. 9. On that same date, the court instructed the parties to file Joint Case Management Statement on or before August 9, 2013. Id.

To date, the parties have not filed a Joint Case Management. While the court realizes the Case Management Conference and associated deadlines have been modified in a related action - Abrams v. Intuitive Surgical, Inc., Case No. 5:13-cv-01920 EJD - these cases remain separate, stand-alone cases until such time as they may be consolidated. This means that, as it currently stands, filings made in and orders made with regard to the Abrams action have no effect on this action.


Accordingly, the parties are ordered to appear before the Honorable Edward J. Davila on **August 23, 2013, at 10:00 a.m.** in Courtroom No. 4, 5th Floor, United States District Court, 280 S. First Street, San Jose, California, 95113, to show cause why the court should not impose any and all

1 appropriate sanctions, including monetary sanctions or dismissal for failure to prosecute, on the
2 parties, or any of them, for failure to file a Joint Case Management Statement. On or before **August**
3 **16, 2013**, the parties shall file, either jointly or separately, a statement demonstrating good cause for
4 their failure to comply as directed.

5 In light of this Order to Show Cause, the Case Management Conference scheduled for
6 August 16, 2013, is VACATED and will be reset if necessary upon resolution of the issue described
7 herein.

8 **IT IS SO ORDERED.**

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10 Dated: August 14, 2013


EDWARD J. DAVILA
United States District Judge

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