

1 UNITED STATES DISTRICT COURT  
 2 NORTHERN DISTRICT OF CALIFORNIA  
 3 SAN JOSE DIVISION

4 RYAN HAYES,

5 Plaintiff,

6 v.

7 CAPITAL ONE, NATIONAL  
 8 ASSOCIATION,

9 Defendant.

Case No. [5:15-cv-04789-EJD](#)

**ORDER TO SHOW CAUSE RE  
 SETTLEMENT**

10 Plaintiff and the sole remaining defendant, having filed a Notice of Settlement on **March**  
 11 **24, 2016** (Dkt. No. 37), are ordered to appear before the Honorable Edward J. Davila on **May 19,**  
 12 **2016 at 10:00 AM** in Courtroom No. 1, 5th Floor, United States District Court, 280 South First  
 13 Street, San Jose, California, 95113, to show cause why the case should not be dismissed pursuant  
 14 to Federal Rule of Civil Procedure 41(b). On or before **May 12, 2016**, the parties shall file a joint  
 15 statement in response to the Order to Show Cause setting forth the status of settlement efforts as  
 16 well as the amount of additional time necessary to finalize and file a dismissal.

17 The Order to Show Cause shall be automatically vacated and the parties relieved of the  
 18 obligation to file a joint statement if a stipulated dismissal pursuant to Federal Rule of Civil  
 19 Procedure 41(a) is filed on or before **May 12, 2016**.

20 All other pretrial deadlines and hearing dates are VACATED and any pending motions are  
 21 TERMINATED.

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

24 **IT IS SO ORDERED.**

25 Dated: April 4, 2016

26   
 EDWARD J. DAVILA  
 United States District Judge

27  
 28 Case No.: [5:15-cv-04789-EJD](#)  
 ORDER TO SHOW CAUSE RE SETTLEMENT

United States District Court  
 Northern District of California