

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

4 ANTOINETTE DAVIS,
5 Plaintiff,

6 v.

7 BANK OF AMERICA, NATIONAL
8 ASSOCIATION,
9 Defendant.

Case No. [5:16-cv-02159-EJD](#)

**ORDER TO SHOW CAUSE RE
SETTLEMENT**

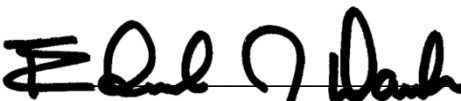
10 In light of the settlement between Plaintiff and the sole remaining defendant Bank of
11 America, National Association (Dkt. No. 26), the parties are ordered to appear before the
12 Honorable Edward J. Davila on **October 6, 2016 at 10:00 AM** in Courtroom No. 4, 5th Floor,
13 United States District Court, 280 South First Street, San Jose, California, 95113, to show cause
14 why the case should not be dismissed pursuant to Federal Rule of Civil Procedure 41(b). On or
15 before **September 29, 2016**, the parties shall file a joint statement in response to the Order to
16 Show Cause setting forth the status of settlement efforts as well as the amount of additional time
17 necessary to finalize and file a dismissal.

18 The Order to Show Cause shall be automatically vacated and the parties relieved of the
19 obligation to file a joint statement if a stipulated dismissal pursuant to Federal Rule of Civil
20 Procedure 41(a) is filed on or before **September 29, 2016**.

21 All other pretrial deadlines and hearing dates are VACATED and any pending motions are
22 TERMINATED. Failure to comply with any part of this Order will be deemed sufficient grounds
23 to dismiss the action.

24 **IT IS SO ORDERED.**

25 Dated: August 26, 2016

26 

27 EDWARD J. DAVILA
United States District Judge