

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

4 ALBERT YBARRA,
5 Plaintiff,

6 v.

7 PRAXAIR DISTRIBUTION, INC.,
8 Defendant.
9

Case No. [16-cv-04224-EJD](#)

**ORDER TO SHOW CAUSE RE
SETTLEMENT**

Re: Dkt. No. 26

10 The parties, having filed a Notice of Settlement on **August 28, 2017** (See Docket Item No.
11 Re: Dkt. No. 26), are ordered to appear before the Honorable Edward J. Davila on **September 28,**
12 **2017 at 10:00 AM** in Courtroom No. 4, 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 **September 18, 2017**, the parties shall file
15 a joint statement in response to the Order to Show Cause setting forth the status of settlement
16 efforts as 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 **September 18, 2017**.

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: 8/28/2017



26 EDWARD J. DAVILA
United States District Judge