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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SUNIL KUMARAN VETHODY, et al.,
Plaintiffs,
v.
NATIONAL DEFAULT SERVICES
CORPORATION, et al.,
Defendants.

Case No.16-cv-04713-VKD

**ORDER TO SHOW CAUSE RE
SETTLEMENT**

On January 18, 2019, the parties informed the Court that the bankruptcy court has approved the proposed settlement of the dispute between them and that they are in the process of finalizing their settlement. Dkt. No. 119.

On or before **March 19, 2019**, the parties shall file a stipulated dismissal pursuant to Fed. R. Civ. P. 41(a)(1)(ii). Rule 41(a)(1) permits a plaintiff to voluntarily dismiss a case without a court order (i) by notice if the defendants have not filed an answer or motion for summary judgment, or (ii) by stipulation signed by all parties who have appeared. Because defendants have filed an answer, plaintiff must file a stipulated dismissal pursuant to Rule 41(a)(1)(ii).

If a dismissal is not filed by the specified date, then the parties shall appear in Courtroom 2, 5th Floor, 280 S. 1st St, San Jose, California on **April 2, 2019, 10:00 a.m.** and show cause, if any, why the case should not be dismissed pursuant to Fed. R. Civ. P. 41(a). Additionally, the parties shall file a statement in response to this Order to Show Cause no later than **March 26, 2019** advising as to (1) the status of the activities of the parties in finalizing settlement; and (2) how much additional time, if any, is required to finalize the settlement and file the dismissal. If a dismissal is filed as ordered, the Order to Show Cause hearing will be automatically vacated and

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the parties need not file a statement in response to this Order.

IT IS SO ORDERED.

Dated: January 18, 2019

Virginia K. DeMarchi
VIRGINIA K. DEMARCHI
United States Magistrate Judge