

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

4 BRIAN WHITAKER,
5 Plaintiff,

6 v.

7 MAXMARA RETAIL, LTD.,
8 Defendant.
9

Case No. [5:21-cv-01479-EJD](#)

**ORDER TO SHOW CAUSE RE
SETTLEMENT**

Re: Dkt. No. 16

10 The parties, having filed a Notice of Settlement on **July 15, 2021** (See Docket Item No.
11 16), are ordered to appear before the Honorable Edward J. Davila on **September 30, 2021 at**
12 **10:00 AM** in Courtroom No. 4, 5th Floor, United States District Court, 280 South First Street, San
13 Jose, California, 95113, to show cause why the case should not be dismissed pursuant to Federal
14 Rule of Civil Procedure 41(b). On or before **September 20, 2021**, 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 **September 20, 2021**.

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: July 15, 2021

26 
EDWARD J. DAVILA
United States District Judge

27
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