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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BRIAN ORSER,

Plaintiff,

v.

SELECT PORTFOLIO SERVICING, INC.,

Defendant.

Case No. C05-1507RSL

SECOND ORDER REQUIRING
MOTION FOR PRELIMINARY
APPROVAL OF THE PROPOSED
SETTLEMENT OR FOR A JOINT
STATUS REPORT

This matter comes before the Court *sua sponte*. On December 3, 2007, the Court ordered the parties to file a joint status report and advise the Court as to the status of their settlement negotiations and/or to suggest new deadlines for the case. On April 1, 2008, the parties filed a joint status report stating that they “have reached a settlement of this putative class action, subject to the Court’s approval.” The parties further stated that they were finalizing documents and planning to file a motion for preliminary approval of the class settlement, but the parties filed nothing thereafter. On November 5, 2008, the Court ordered the parties to file a motion for preliminary approval of the settlement or a joint status report by December 5, 2008.

Plaintiff subsequently filed a motion for preliminary approval of the settlement, but on January 6, 2009, the Court denied the motion based on various deficiencies in the filing. The parties have filed nothing since then. This case was filed in July 2005 and has languished on the

1 Court's calendar for years. As the Court has previously stated, the delays in this case have been
2 protracted and unexplained.

3 Accordingly, the parties are hereby ORDERED to file a motion for preliminary approval
4 of the settlement by March 20, 2009. If the parties no longer agree on the proposed settlement
5 terms, they must submit a joint status report so stating by March 20, 2009. The joint status
6 report should also propose a new trial date and related deadlines so that the Court can issue an
7 amended case schedule in this case.

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9 DATED this 23rd day of February, 2009.

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12 Robert S. Lasnik
13 United States District Judge
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