

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

| | | |
|---|---|------------------------|
| KAVEH AZIMI, |) | |
| |) | |
| Plaintiff, |) | CIVIL ACTION |
| |) | |
| v. |) | No. 06-2114-KHV |
| |) | |
| UNITED PARCEL SERVICE, INC., et al., |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

ORDER

On March 24, 2006, plaintiff filed a civil complaint. The files and records of the Court show that service of the summons and complaint was accomplished on defendant Local 41 of the International Brotherhood of Teamsters on March 28, 2006. The Court therefore ordered plaintiff to show good cause in writing on or before August 11, 2006, why claims against Local 41 should not be dismissed for lack of prosecution pursuant to Rule 41(b), Fed. R. Civ. P. See Notice And Order To Show Cause (Doc. #24) filed July 31, 2006.

Plaintiff states that Local 41 has been properly served with summons and a copy of the complaint. Plaintiff states that counsel agreed that Local 41 need not answer to preserve expense while the parties pursued resolution of claims and that no settlement has yet been reached. Plaintiff further states that the parties have held settlement mediations on May 25 and July 14, 2006 and have formally conferred on August 9, 2006 to discuss settlement. Plaintiff notes that some claims remain subject to EEOC jurisdiction. Plaintiff has established good cause why the Court should not dismiss claims against Local 41.

IT IS SO ORDERED.

IT IS FURTHER ORDERED that defendant Local 41 shall file an answer **on or before August 25, 2006.**

Dated this 18th day of August, 2006, at Kansas City, Kansas.

s/ Kathryn H. Vratil
KATHRYN H. VRATIL
United States District Judge