

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

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| JEFFREY D. GUEBERT, |) | |
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| |) | |
| |) | |
| Plaintiff, |) | CIVIL ACTION |
| |) | |
| v. |) | No. 20-1007-KHV |
| |) | |
| EQUIFAX INC. and |) | |
| CONVERGENT OUTSOURCING, INC., |) | |
| |) | |
| |) | |
| Defendants. |) | |
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ORDER TO SHOW CAUSE

This matter comes before the Court on plaintiff's Motion to Remand United States District Court Case 20-1007 To Original Jurisdiction Of Sedgwick County District Court Of Kansas (Doc. #7) filed January 17, 2020. For reasons stated below, the Court orders plaintiff and Convergent Outsourcing, Inc. to show cause why the Court should not dismiss this case in light of the parties' settlement agreements and overrule as moot plaintiff's motion to remand.

On December 17, 2019, plaintiff filed an action in state court against Equifax Inc. and Convergent Outsourcing, Inc. See Petition, attached as Exhibit 1 to Notice of Removal (Doc. #1) filed January 13, 2020. On January 13, 2020, Equifax removed the case to federal court. Notice of Removal (Doc. #1). Convergent consented to the removal. Defendant Convergent Outsourcing, Inc. Consent To Removal, attached as Exhibit 2 to Notice Of Removal (Doc. #1). On January 17, plaintiff filed this motion to remand, which states that he and Convergent previously reached a settlement. Motion to Remand (Doc. #7) at 5. As an exhibit to his motion, plaintiff attached a notice of settlement which states that he has settled with *both* defendants.

Notice of Settlement, attached to Motion to Remand (Doc. #7) at 14. Five days after plaintiff filed this motion, Equifax filed a settlement notice which states that it has settled with plaintiff. Defendant Equifax Inc.'s Notice of Settlement (Doc. #8) filed January 22, 2020. On February 18, 2020, Equifax and plaintiff filed a joint stipulation of dismissal. Stipulation Of Dismissal With Prejudice Between Plaintiff And Defendant Equifax Inc. Only (Doc. #9). On the same day, Equifax was dismissed from the case. Order Granting Stipulation Of Dismissal With Prejudice As To Equifax Inc. Only (Doc. #10) filed February 18, 2020. To date, plaintiff and Convergent have not filed a joint stipulation of dismissal and Convergent has never confirmed a settlement with plaintiff.

Based on the parties' filings, it is unclear whether plaintiff has settled this case with Convergent. Accordingly, the Court orders plaintiff and Convergent to show cause **on or before March 13, 2020** why the Court should not dismiss this case as settled and overrule as moot plaintiff's motion.

IT IS SO ORDERED.

Dated this 28th day of February, 2020 at Kansas City, Kansas.

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