FILED

UNITED STATES COURT OF APPEALS

FEB 23 2017

FOR THE NINTH CIRCUIT

BRENDA M. JOHNSON,	No. 15-35959
Plaintiff-Appellant,	D.C. No. 3:14-cv-05872-RJB
v.	
ELECTRONIC TRANSACTION CONSULTANTS CORPORATION, AKA ETCC; et al.,	MEMORANDUM*
Defendants-Appellees.	

Appeal from the United States District Court
for the Western District of Washington
Robert J. Bryan, District Judge, Presiding

Submitted February 14, 2017**

Before: GOODWIN, FARRIS, and FERNANDEZ, Circuit Judges.

Brenda M. Johnson appeals pro se from the district court's judgment in her

employment action alleging federal and state law claims. We have jurisdiction

under 28 U.S.C. § 1291. We review for an abuse of discretion the imposition of

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* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

discovery sanctions under Federal Rule of Civil Procedure 37, *Payne v. Exxon Corp.*, 121 F.3d 503, 507 (9th Cir. 1997), and we affirm.

The district court did not abuse its discretion by dismissing Johnson's action as a discovery sanction because Johnson failed to comply with multiple orders compelling her to appear for her deposition. *See id.* at 507-08 (setting forth factors to be considered before granting dismissal under Rule 37(b)). We reject as unsupported by the record Johnson's contention that she did not receive notice of the court's order scheduling Johnson's deposition or of the December 7, 2015 hearing on defendant's motion for sanctions.

We do not consider matters not specifically and distinctly raised and argued in the opening brief. *See Padgett v. Wright*, 587 F.3d 983, 985 n.2 (9th Cir. 2009).

We reject as unsupported by the record Johnson's contentions that she was improperly denied counsel, copies of transcripts, or a speedy trial.

All pending motions and requests are denied.

AFFIRMED.