Case No. CV 08-1461 AB (FFM)

Date September 12, 2018

UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

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Title	Anthony M. DeVaughn v. County of Los Angeles, et al.				
Present: The Honorable Frederick F. Mumm, United States Magistrate Judge					
James Munoz			None	None	
Deputy Clerk			Court Reporter / Recorder	Tape No.	
Attorneys Present for Plaintiff:			Attorneys Present for Defendants:		
None Present			None Present		
Proceedings: (IN CHAMBERS) ORDER TO SHOW CAUSE WHY ACTION SHOULD NOT BE DISMISSED FOR FAILURE TO COMPLY WITH COURT DISCOVERY ORDER					

The Court has received the motion to dismiss (the "Motion") filed by County of Riverside, Jim Larsh, and Darren J. Mannon (the "COR Defendants") on September 10, 2018. (Docket No. 298.) The COR Defendants assert that plaintiff violated the Court's July 24, 2018 order by failing to appear for his deposition. (*See id.*; *see* Docket No. 281.) The COR Defendants seek dismissal of this action or, in the alternative, an order excluding all testimony from plaintiff. (*See* Docket No. 298.)

Pursuant to Federal Rule of Civil Procedure 37(b)(2), the Court, among other sanctions, may dismiss an action in whole or in part for a failure of the plaintiff to obey a discovery order. Given the allegations made by the COR defendants in the Motion, THE COURT ORDERS PLAINTIFF ANTHONY M. DEVAUGHN TO SHOW CAUSE, IN WRITING, WITHIN 10 DAYS OF THE DATE OF THIS ORDER, WHY THIS ACTION SHOULD NOT BE DISMISSED OR A LESSER SANCTION IMPOSED UPON HIM FOR FAILING TO COMPLY WITH A DISCOVERY ORDER.

The Court VACATES the October 23, 2018 hearing on the Motion. The COR Defendants may file a reply to plaintiff's showing within five court days of their receipt of plaintiff's showing.

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