

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	2:08-cv-07257-JHN-AJWx	Date	December 21, 2010
Title	Paul Triplett v. City of San Bernardino et al.		

Present: The Honorable	JACQUELINE H. NGUYEN
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Alicia Mamer Deputy Clerk	Not Reported Court Reporter / Recorder	N/A Tape No.
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Attorneys Present for Plaintiffs: Not present	Attorneys Present for Defendants: Not present
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Proceedings: ORDER TO SHOW CAUSE RE DISMISSAL FOR FAILURE TO PROSECUTE (In Chambers)

A Final Pretrial Conference in this matter was scheduled for December 20, 2010. Plaintiff’s counsel failed to appear. The Court vacated the trial date in this matter. (Docket no. 68.)

Defendant’s counsel informed the Court that Plaintiff’s counsel has also failed to meet and confer regarding discovery and other matters. Additionally, though Defendants filed two Motions in Limine on November 29, 2010 (docket nos. 61 and 62), Plaintiff has failed to file any oppositions to these motions.

The Court previously issued an Order to Show Cause regarding Plaintiff’s failure to oppose Defendants’ Motion for Summary Judgment filed May 24, 2010. (Docket nos. 38, 41.) Plaintiff further failed to respond to the Order to Show Cause, and the Motion for Summary Judgment was granted on June 22, 2010. (Docket no. 42.) Plaintiff later filed a Motion for Relief from Judgment. (Docket no. 44.) On July 20, 2010, the Court granted that Motion, finding that the negligence of Plaintiff’s counsel in failing to oppose the Motion for Summary Judgment and to respond to the Court’s Order to Show Cause constituted excusable neglect. (Docket no. 53.)

The Court finds counsel’s renewed failures particularly troubling in light of this history and the Court’s previous warning to counsel that failure to comply with Court orders may result in the imposition of sanctions.

Plaintiff is ORDERED TO SHOW CAUSE, in writing, not later than December 27, 2010, at noon as to why the Court should not dismiss this case for lack of prosecution.

Failure to comply with this Order may result in the imposition of sanctions.

IT IS SO ORDERED.

Initials of Preparer	_____	:	_____	N/A
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