

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MEMORANDUM

Case No. CV 10-8495 DSF (AJWx)

Date 12/9/11

Title Nihar Desai v. City of Los Angeles, et al.

Present: The Honorable DALE S. FISCHER, United States District Judge

Debra Plato

Not Present

Deputy Clerk

Court Reporter

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

Proceedings: (IN CHAMBERS) ORDER TO SHOW CAUSE RE DISMISSAL FOR LACK OF PROSECUTION AND FAILURE TO COMPLY WITH COURT ORDERS AND ORDER VACATING PRETRIAL CONFERENCE AND TRIAL DATE

On April 18, 2011, this Court set a pretrial conference date of December 19, 2011. Pursuant to the Court’s Order re Jury Trial, the proposed pretrial conference order and proposed jury instructions should have been lodged no later than seven days before the pretrial conference. Memoranda of contentions of fact and law, witness lists, and a joint exhibit list were to be filed no later than 21 days before the pretrial conference. As of this date, Plaintiff has filed no such documents.

The pretrial conference and trial dates are vacated.

Plaintiff is ordered to show cause on December 19, 2011 at 3:00 p.m. why this action should not be dismissed for lack of prosecution and failure to comply with this Court’s orders. Plaintiff may show cause by submitting a proposed pretrial conference order, memorandum of contentions of fact and law, witness and exhibit lists, and jury instructions no later than December 14, 2011. If Plaintiff submits documents that comply with this Court’s orders and the Local Rules, a pretrial conference will be held on December 19 at 3:00 p.m. If Plaintiff fails to submit such documents and fails to show cause why this action should not be dismissed, the action will be dismissed with prejudice.

Mandatory paper copies of all documents are to be submitted to chambers.

As this is the third time the Court has been required to issue an Order to Show Cause due to Plaintiff’s counsel’s failure to comply with Court orders, (see Docket Nos. 21 and 24), Plaintiff is ordered to pay sanctions of \$250 to the Office of the Clerk of the

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Court no later than December 19, 2011.

IT IS SO ORDERED.