

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MEMORANDUM

Case No. CV 10-10039 DSF (FMOx) Date 11/7/11

Title Antelope Valley Allied Arts Association, et al. v. Lancaster Redevelopment Agency, 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 Sanctions

On September 26, 2011, Defendants moved to dismiss Plaintiff’s counterclaims. (Docket No. 103.) Oral argument was scheduled for Monday, November 7, 2011. The motion and accompanying Declaration of David C. Palmer recite Defendants’ numerous (unsuccessful) efforts to convince Plaintiff to dismiss its counterclaims. Plaintiff’s counsel filed an Opposition that failed directly to address claims two through five, but did not specifically note that Plaintiff did not oppose dismissal of those claims. On Friday afternoon, November 4, Plaintiff filed a request for dismissal of four of their five counterclaims. (Docket No. 138.) Thus, it appears that had Plaintiffs’ counsel met and conferred in good faith as required by Local Rule 7-3 and this Court’s Standing Order, and advised the Court that claims two through five were no longer at issue, or agreed to stipulate to dismissal of those four claims, the Court would have been saved significant effort and could have directed its time and attention to matters of other parties with legitimate disputes. This obviously is the purpose of Rule 7-3.

The Court orders Plaintiff’s counsel to show cause in writing on or before November 21, 2011 why sanctions in the amount of \$250.00 payable to the Clerk of the Court should not issue for counsel’s failure to meet and confer in good faith, notify the Court of Plaintiff’s non-opposition, and for its extreme delay in filing the (ultimately ineffective) request for dismissal.

The Court notes that Mr. Landsgaard failed to appear for the hearing on this matter

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due to being ordered to remain in state court on another matter. No explanation was given for why Ms. Echegary, also counsel of record for Plaintiff, failed to appear. If Ms. Echegary no longer wishes to represent Plaintiff, she must seek the Court's permission to withdraw.

IT IS SO ORDERED.