

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

MEMORANDUM

Case No. CV 11-638 DSF (FFMx)

Date 5/3/11

Title Gregory Parker, et al. v. FedEx National LTL, Inc., 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 FAILURE TO PROSECUTE AND FAILURE TO COMPLY WITH COURT ORDERS

On February 2, 2011 this Court set a scheduling conference for May 2, 2011, at 11:00 a.m. Plaintiff’s counsel failed to appear. The failure to appear appears wilful in that Plaintiff’s counsel made numerous calls to the Courtroom Deputy Clerk on the morning of May 2 indicating she did not want to drive to the Court and wanted to appear by telephone. The Court did not receive any of counsel’s messages, as the Courtroom Deputy Clerk was in Court continuously throughout the morning. In any event, this Court does not permit appearance by telephone except in extraordinary circumstances.

Both defense counsel and the Court were inconvenienced by the failure of Plaintiff’s counsel to comply with this Court’s orders. Plaintiff’s counsel is ordered to show cause in writing no later than May 10 why sanctions payable to the clerk of the Court in the amount of \$250 should not be imposed pursuant to Local Rule 83-7, for Plaintiff’s failure to prosecute this action and failure to comply with the Court’s order. Defense counsel may submit a request for attorney’s fees incurred. A hearing on this Order to Show Cause and a new Scheduling Conference is set for May 16, 2011, at 11:00 a.m.

IT IS SO ORDERED.

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**MEMORANDUM**