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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

POR VIDA PRODUCTIONS, LLC;	)	Case No. CV 11-01944 DDP (JCx)
DFL RELEASING LLC; ALAN	)	
JACOBS; SCOTT WILLIAM	)	ORDER TO SHOW CAUSE WHY THE COURT
ALVAREZ,	)	SHOULD NOT SANCTION PLAINTIFFS'
	)	COUNSEL
Plaintiffs,	)	
	)	
v.	)	
	)	
CHRISTOPHER HARRISON;	)	
DARRICK ROBINSON; TRINA	)	
CALDERON,	)	
	)	
Defendants.	)	
	)	
_____	)	

The Court orders Plaintiffs' Counsel Eugene R. Grace to show cause why he should not be sanctioned for filing a late opposition brief to Defendants' Motion for Summary Judgment ("Motion").

On Monday, March 18, 2013, Defendants filed their Motion. (Docket No. 53.) Local Rule 7-9 required Plaintiffs to submit their opposition at least 21 days before the Motion's hearing, which is set for Monday, April 15, 2013. Twenty-one days before

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1 this date was Monday, March 25. Plaintiffs' opposition was filed  
2 at 6:02pm on Friday, March 29. (Docket No. 60; Susman Decl. ¶ 2,  
3 Docket No. 61-1.) Local Rule 7-10 required Defendants' reply  
4 brief to be filed on Monday April 1, fourteen days before the  
5 hearing. Mr. Grace's delay prejudiced Defendants' counsel because  
6 he had to prepare a reply brief over the weekend and during a  
7 planned family vacation to Hawaii, where he did not have "full  
8 access to [his] law firm's resources. (Susman Decl. ¶ 3.)  
9 Defendants' counsel could not assume that the Court would grant a  
10 continuance for this reply brief because such a request would not  
11 have been reviewed until April 1 at the earliest, the day that the  
12 brief was due. Mr. Grace did not explain the opposition brief's  
13 delay.

14 Local Rule 7-13 provides for sanctions against parties that  
15 file late documents: "A party filing any document in support of, or  
16 in opposition to, any motion noticed for hearing as above  
17 provided after the time for filing the same shall have expired,  
18 also shall be subject to the sanctions of L.R. 83-7 and the  
19 F.R.Civ.P." Local Rule 83-7 also states:

20  
21 The violation of or failure to conform to any of these  
22 Local Rules may subject the offending party or counsel  
23 to:  
24 (a) monetary sanctions, if the Court finds that the  
25 conduct was willful, grossly negligent, or reckless;  
26 (b) the imposition of costs and attorneys' fees to  
27 opposing counsel, if the  
28 Court finds that the conduct rises to the level of bad  
faith and/or a willful disobedience of a court order;  
and/or  
(c) for any of the conduct specified in (a) and (b)  
above, such other sanctions as the Court may deem  
appropriate under the circumstances.

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1           The Court will hear arguments on sanctions on Monday, April  
2 15, the same day that argument is set for Defendants' Motion.  
3 IT IS SO ORDERED.

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Dated: April 3, 2013

  
DEAN D. PREGERSON  
United States District Judge