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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CIVIL MINUTES – GENERAL

Case No.	CV 16-07747-BRO (JCx)	Date	December 28, 2016
Title	BRUCE RORTY V. AMERICAN HOME SHIELD CORPORATION ET AL.		

Present: The Honorable	BEVERLY REID O’CONNELL, United States District Judge		
Renee A. Fisher	Not Present	N/A	
Deputy Clerk	Court Reporter	Tape No.	
Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:		
Not Present	Not Present		

Proceedings: (IN CHAMBERS)

**ORDER TO SHOW CAUSE RE: FAILURE TO TIMELY OPPOSE
MOTION TO DISMISS**

Pending before the Court is Defendant Retrieval-Masters Creditors Bureau, Inc., a.k.a. American Medical Collection Agency’s (“RMCB”) Motion to Dismiss. (Dkt. No. 11 (“Motion”).) RMCB filed its Motion on November 7, 2016, noticing a hearing date of January 9, 2017. (*Id.*) Defendant Pacific Bell Telephone Company, d.b.a. AT&T California (“AT&T”), joined in RMCB’s Motion on November 16, 2016. (*See* Dkt. No. 12.)

Under the Central District’s Local Rules, a party must oppose a motion at least twenty-one (21) days prior to the scheduled hearing date. *See* C.D. Cal. L.R. 7-9.¹ Accordingly, Plaintiff Bruce Rorty’s (“Plaintiff”) opposition to the Motion, if any, was due no later than December 19, 2016. *See id.*; Fed. R. Civ. P. 6(a)(1), (a)(5), (a)(6)(A). As of December 19, 2016, Plaintiff had filed no opposition.² Instead, Plaintiff opposed the Motion on December 23, 2016. (*See* Dkt. No. 15.)

Accordingly, Plaintiff’s counsel is **ORDERED TO SHOW CAUSE** as to why the Court should not issue sanctions against him for failing to comply with this Court’s Local

¹ A copy of the Local Civil Rules is available at the United States District Court, Central District of California’s website: <https://www.cacd.uscourts.gov/court-procedures/local-rules>.

² RMCB filed a “Reply” on December 22, 2016, arguing that this Court should grant the pending Motion because Plaintiff failed to timely oppose the Motion. (*See* Dkt. No. 14.) A notice of non-receipt of opposition would have sufficed for such purpose. Accordingly, the Court will treat RMCB’s filing as a notice of non-receipt of opposition, rather than as a substantive Reply in support of its Motion.

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Rules. **Plaintiff’s counsel’s Response is due no later than Tuesday, January 2, 2017 at 4:00 p.m.** An appropriate response will include reasons demonstrating good cause for Plaintiff’s counsel’s failure to timely oppose the Motion. **RMCB may file a substantive Reply in support of the Motion by no later than Thursday, January 5, 2017 at 4:00 p.m.**

IT IS SO ORDERED.

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Initials of Preparer

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