

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

<b>Case No.</b>	CV 18-915 MRW	<b>Date</b>	March 8, 2018
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<b>Title</b>	Park v. CASNAK LLC
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<b>Present: The Honorable</b>	Michael R. Wilner
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Veronica Piper	n/a
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Deputy Clerk	Court Reporter / Recorder
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Attorneys Present for Plaintiff:	Attorneys Present for Defendant:
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None present	None present
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**Proceedings:** ORDER RE: SANCTIONS, COSTS, AND DISMISSAL

1. The Court reviewed the declaration of Jong Kim. (Docket # 20.) In it, the lawyer explains the reason for failing to attend the scheduling conference (tech goof-up with a new cell phone).

2. The Court accepts the explanation of the challenges that this solo practitioner describes in operating his legal practice. No sanctions or punishment for any perceived misconduct are appropriate. The order to show cause re: sanctions is discharged without consequence.

3. The defense certainly is entitled to be compensated, though, for attending a mandatory hearing that was less than fully productive due to Mr. Kim's accidental absence. To that end, the Kim declaration and the accompanying stipulation reveal that the defense agrees to forego its entitlement to costs – and will simultaneously accept a dismissal of the action with prejudice. (Docket # 19.)

4. After a morning's thought, that's fine with me. Mr. Franceschi is relieved of his obligation to submit a statement of costs. The action will be dismissed with prejudice as the parties request.

5. Given the nature and volume of Mr. Kim's practice, he is gently encouraged to invest in a reliable system to ensure compliance with federal court deadlines – not everyone will let him and his clients off the hook like this.