

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

DR. DR. B.L. ROSENFELD, et al.,  
Plaintiffs,

v.

BURBANK MAYOR JESS  
TALAMATES, et al.,  
Defendants.

CV 22-497 DSF (Ex)

Order on Plaintiffs' Objections to  
Court Order; Order to Show  
Cause re Sanctions

On December 1, 2022, counsel for Plaintiffs filed a document titled "Stipulation to Dismiss Portions of the Fourth Amended Complaint."<sup>1</sup> (Dkt. 115.) That document was stricken for failure to comply with the Court's standing order and Local Rule 5-4.4.2, which require that proposed orders be submitted to chambers email. (Dkt. 123.)

On January 6, 2023, after communications occurred with the Court's courtroom deputy clerk, a proposed order was submitted to the chambers email by Collinson, Daehnke, Inlow & Greco, counsel for Defendants. The Court approved that proposed order (correcting its title in the signature block).<sup>2</sup> The proposed order attached to docket 115 is different from the proposed order submitted to the chambers

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<sup>1</sup> The document was incorrectly docketed as "STIPULATION to Dismiss DEFENDANTS Tanya Cooper filed by plaintiff B. L. Rosenfeld."

<sup>2</sup> Plaintiffs' counsel speculated in his Objection that the Court had been "forced to draft its own, incorrect order, which is mistaken." Apparently, defense counsel did not provide Plaintiffs' counsel with a copy of the proposed order submitted to chambers email.

email in that the latter adds the phrase “with prejudice under FRCP 41(a)(1)(A)(ii)” to the introductory paragraph. Both versions of the proposed orders provided to the Court bear the watermark of Collinson, Daehnke, Inlow & Greco. The stipulation does not indicate that the parties or claims are to be dismissed with prejudice.<sup>3</sup>

Defense counsel is ordered to show cause in writing no later than January 30, 2023 why the Court’s order at docket 126 should not be vacated and why defense counsel should not be sanctioned for the submission of a revised proposed order, apparently without notice to or consent of Plaintiffs’ counsel.

IT IS SO ORDERED.

Date: January 18, 2023

  
Dale S. Fischer  
United States District Judge

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<sup>3</sup> Because docket 115 was stricken, there is no stipulation filed on the docket.