

**PRIORITY SEND**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIACIVIL MINUTES -- GENERAL

Case No. EDCV 14-01642-VAP (DTBx)

Date: January 14, 2015

Title: ALEXANDER CALDERON, ETC. -v- CITIMORTGAGE, INC., ETC., ET  
AL

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PRESENT: HONORABLE VIRGINIA A. PHILLIPS, U.S. DISTRICT JUDGE

Marva Dillard  
Courtroom DeputyNone Present  
Court ReporterATTORNEYS PRESENT FOR  
PLAINTIFFS:ATTORNEYS PRESENT FOR  
DEFENDANTS:

None

None

PROCEEDINGS: MINUTE ORDER TO SHOW CASE RE (1) FAILURE TO  
APPEAR AT SCHEDULING CONFERENCE; AND (2)  
SUBJECT MATTER JURISDICTION (IN CHAMBERS)

On January 5, 2015, the Court held a scheduling conference in this matter. Lead trial counsel for the Plaintiff, Stephen R. Wade, did not appear. The Court's Order Setting Scheduling Conference makes clear that all lead trial counsel must appear at the scheduling conference, and that failure to comply may lead to sanctions. (See Doc. No. 11.) Accordingly, the Court ORDERS Stephen R. Wade to show cause why he should not be sanctioned \$500 for his failure to appear at the January 5, 2015 scheduling conference.

The Court also orders Plaintiff Alexander Calderon to show cause why this case should not be dismissed for lack of subject matter jurisdiction. Plaintiff filed this case under the diversity jurisdiction statute. See 28 U.S.C. § 1332. That statute

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requires, inter alia, that the amount in controversy exceed \$75,000. See 28 U.S.C. § 1332(a). In his Rule 26(f) Report, Plaintiff stated he "no longer needs the injunctive and specific performance relief requested in the Complaint." (See Doc. No. 15 at 5.) The amount in controversy appears now, therefore, to be less than \$75,000. Accordingly, Plaintiff is ORDERED to show cause why this case should not be dismissed for lack of subject matter jurisdiction. Plaintiff may vacate this order by filing a notice of dismissal.

Stephen R. Wade and Plaintiff must each show cause, in writing, no later than January 30, 2015.

**IT IS SO ORDERED.**