

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	ED CV 17-1197 JLS (MRW)	Date	January 19, 2023
Title	Huffman v. Riverside County Sheriff		

Present:	Hon. Michael R. Wilner, U.S. Magistrate Judge		
James Muñoz	n/a		
Deputy Clerk	Court Reporter / Recorder		
Attorneys for Plaintiff:	Attorneys for Defendant:		
n/a	n/a		

Proceedings: ORDER TO SHOW CAUSE RE: SANCTIONS

1. In December, Attorney Rios filed a notice indicating that Mr. Huffman retained him in this civil rights action. The Court set the matter for a status conference on January 18. The Court ordered the lawyers to “be prepared to discuss firm scheduling for the remainder of the action with the Court” and “to meet telephonically in advance of the hearing [] to facilitate that discussion.” (Docket # 108.)

2. At the status conference, though, Mr. Rios did not appear to be familiar with the case at all. He spoke somewhat knowledgeably about another case involving Mr. Huffman (Huffman v. County of Riverside, ED CV 21-2044 JWH (SHKx) (C.D. Cal.)).

3. However, in the present case, the lawyer was not aware that the case is long past the discovery cutoff. Mr. Rios also did not know that the defense filed a detailed status report indicating that it is prepared to move for summary judgment on various colorable procedural and substantive grounds.¹ Indeed, although not entirely clear from our discussion, Mr. Rios may not even have met his client since Mr. Huffman’s recent release from prison.

4. The failure of Plaintiff’s lawyer to prepare for the hearing wasted the time of defense counsel and the Court. The Court previously directed Ms. Grant to document her expenses in preparing for and attending the hearing. She may submit a declaration of that cost by January 25. Mr. Rios is ordered to show cause why he should not pay that cost as a sanction. His response to this OSC (NTE five pages) will be due by February 8.

¹ Ms. Grant’s declaration regarding the delay in filing the defense report is sufficient to discharge the earlier OSC without consequence. (Docket # 104, 109 at 5.)

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5. And we'll reconvene for a real status conference on February 22 at 9:30 a.m. as previously ordered. The parties may appear by video. Note that Judge Wilner will be present in the courtroom.

6. To avoid prejudice to the defense, the deadline by which to file a dispositive motion is continued to March 31.