

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. SACV 17-00768-CJC (ADSx)

Date: February 19, 2020

Title: CHRIS L. JONES, ET AL. v. A BUYER'S CHOICE HOME INSPECTIONS, LTD, ET AL.

PRESENT:

HONORABLE CORMAC J. CARNEY, UNITED STATES DISTRICT JUDGE

Gabriela Garcia
Deputy Clerk

N/A
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFF: ATTORNEYS PRESENT FOR DEFENDANT:

None Present

None Present

**PROCEEDINGS: (IN CHAMBERS) ORDER TO SHOW CAUSE WHY
DEFENDANT WILLIAM REDFERN AND HIS COUNSEL, AL MOHAJERIAN,
SHOULD NOT BE HELD IN CONTEMPT OR SANCTIONED**

On October 1, 2019, this Court denied both parties' motions for summary judgment. (Dkt. 59.) After reviewing the parties' repeated failures to prosecute and defend the case, follow Court orders, and comply with the Federal Rules of Civil Procedure and the Central District of California's Local Rules, the Court ordered the parties to appear before Magistrate Judge Autumn Spaeth for settlement proceedings, and stated that the Court will only proceed to schedule a pretrial conference and trial date once it is convinced that the parties have made a good faith effort to resolve this business dispute. (Dkt. 59 at 12–13.) The Court advised the parties "that failure to comply with trial rules and procedures will not be tolerated and may result in sanctions including dismissal." (*Id.* at 12.) After receiving a request from Defendants to "alter or amend" the Court's decision on summary judgment which also failed to follow court rules and procedures, the Court "reiterate[d] to counsel that further failure to comply with the Court's orders, local rules, and trial rules and procedures, will not be tolerated and may result in sanctions, including dismissal or entry of default." (Dkt. 64 at 3.)

To put it mildly, the Court-ordered settlement proceedings did not go well, and Judge Spaeth became concerned that the parties did not participate in good faith. Accordingly, Judge Spaeth issued an Order to Show Cause re: Contempt of Court and Sanctions (Dkt. 68), and this Court stated that it would determine what action it would take after the contempt proceedings before Judge Spaeth concluded. (Dkt. 71.)

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Judge Spaeth ordered multiple rounds of briefing (based on the parties' apparent failures to fully respond to her orders) and held multiple hearings, and has concluded, among other things, that Defendant William Redfern and his counsel, Al Mohajerian, "repeatedly failed to obey court orders and needlessly increased the cost of litigation and burden on the Court by filing briefs and declarations that did not directly respond to the court's orders," and failing to appear for court proceedings without sufficient justification. (Dkt. 91 at 15–17.)

Judge Spaeth has now certified to this Court the following issues:

1. Whether Mr. Redfern should be held in contempt or sanctioned,
2. Whether Mr. Mohajerian, should be held in contempt or sanctioned, and
3. What sanctions should be imposed, if any.

(*Id.* at 1–2.)

Defendant William Redfern and his counsel Al Mohajerian are hereby **ORDERED TO SHOW CAUSE** why they should not be held in contempt or sanctioned for "repeatedly fail[ing] to obey court orders and needlessly increas[ing] the cost of litigation and burden on the Court by filing briefs and declarations that did not directly respond to the court's orders," failing to appear for court proceedings without sufficient justification, (*see* Dkt. 91 at 15–17), and the other actions described in Judge Spaeth's order, especially in light of this Court's multiple admonitions that failure to follow court rules, orders, and procedures will result in sanctions including dismissal (Dkt. 59 at 12; Dkt. 64 at 3).

Mr. Redfern and Mr. Mohajerian are **DIRECTED** to file a written response or written responses to this order to show cause by February 28, 2020. Plaintiffs shall submit any written opposition to the response(s) by March 6, 2020. A hearing on this order to show cause is scheduled for March 16, 2020 at 1:30 p.m. in the First Street United States Courthouse, Courtroom 7C, 350 W. 1st Street, Los Angeles, CA 90012.

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