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**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

DERRICK LEE BILLUPS,  
Plaintiff,  
vs.  
LOMELI, Sargent,  
Defendant.

CASE NO. CV F 06-1014 LJO PC  
**ORDER FOR SANCTIONS**

\_\_\_\_\_ /  
This Court held a July 27, 2012 hearing to allow plaintiff’s counsel Jance Marshall Weberman (“Mr. Weberman”) of the Law Offices of Jance Marshall Weberman to show cause why sanctions should not be imposed on Mr. Weberman for his repeated failure to appear at Court-ordered hearings, repeated failure to file Court-ordered documents, and his failure to communicate with this Court, opposing counsel, and his client. After that hearing, and for the following reasons, this Court ORDERS Mr. Weberman to pay sanctions in the amount of \$500 for violating his duty to this Court and for violating Fed. R. Civ. P. 11.

After an unsuccessful settlement conference, held on May 7, 2012, Mr. Weberman failed to appear before this Court twice, failed to meet and confer with the Attorney General’s Office when ordered to do so, and failed to file any required pre-trial documents. Specifically, Mr. Weberman failed to meet and confer prior to the deadline for the parties to file a joint pre-trial statement, failed to file a joint pre-trial statement, failed to file a separate pre-trial statement, failed to appear at the pre-trial

1 conference, failed to file motions in limine, failed to oppose the Attorney General's Office's motion in  
2 limine, and failed to appear for the motions in limine hearing. Moreover, this Court finds that Mr.  
3 Weberman's allegation against the Attorney General's Office, found in paragraph four of his July 26,  
4 2012 declaration is unsubstantiated, and rises to the level of a Fed. R. Civ. P. 11(b) violation. This  
5 finding is supported by Mr. Weberman's inability to reconcile that allegation with his explanation at the  
6 July 27, 2012 hearing.

7 On the basis of good cause, and pursuant to Fed. R. Civ. P. 11(c), Local Rule 110, and this  
8 Court's inherent authority to control its docket, this Court ORDERS Mr. Weberman to pay sanctions  
9 in the amount of \$500. **No later than August 13, 2012**, Mr. Weberman shall remit payment of \$500,  
10 **payable to the Clerk of Court, Eastern District of California**, and sent to the following address:

11 Marianne Matherly  
12 Chief Deputy Clerk of Court  
13 United States District Court,  
14 Eastern District of California  
2500 Tulare Street  
Suite 501  
Fresno, CA 93721

15 When remitting payment, Mr. Weberman shall indicate that the payment relates to sanctions ordered in  
16 this action.

17 IT IS SO ORDERED.

18 **Dated: July 30, 2012**

/s/ Lawrence J. O'Neill  
UNITED STATES DISTRICT JUDGE

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