

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

SANDRIKA MEDLOCK, et al.,

Plaintiffs,

v.

TACO BELL CORP., et al.,

Defendants.

Case No. 1:07-cv-01314-SAB

ORDER DISCHARGING ORDER TO
SHOW CAUSE AND VACATING
SEPTEMBER 3, 2014 HEARING

(ECF Nos. 483, 484)

On August 15, 2014, an order issued requiring counsel Timothy Donahue to show cause for his failure to appear at an August 13, 2014 hearing on Defendants' motion to compel. (ECF No. 483.) On August 26, 2014, Mr. Donahue filed a response stating that his secretary miscalendared the date. Further, Mr. Donahue asserts that he knows of no law or legal requirement mandating his appearance on missed law and motion matter and neither opposing counsel or the Court contacted him regarding his missed appearance. Counsel's rationale is unsatisfactory.

Local Rule 230(i) provides that "[a]bsent notice of intent to submit the matter on the briefs, failure to appear may be deemed withdrawal . . . of opposition to the motion, in the discretion of the Court, or may result in the imposition of sanctions." Counsel is expected to be familiar with the Local Rules when practicing in this Court. Further, it is not the duty of opposing counsel or the Court to advise counsel of a hearing, that is the counsel's responsibility.

