

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

ALICE ROSAS AGUILAR, as successor  
in interest to Sergio Rosas Aguilar;  
ALICE ROSAS AGUILAR, an individual,

CASE NO. 08-cv-1202 AWI-GSA

Plaintiffs,

ORDER TO SHOW CAUSE  
FOR CONTEMPT CITATION AGAINST  
JOE MEDINA

vs.

COUNTY OF FRESNO, CALIFORNIA,  
a political subdivision of the State of  
California; ERNEST SERRANO, an  
individual,  
Defendants.

\_\_\_\_\_ /

In a notice filed on November 4, 2009, the County of Fresno and Ernesto Serrano (“Defendants”) applied for an Order to Show Cause why third party deponent Joe Medina (“Mr. Medina”) should not be held in civil contempt for failing to appear for his depositions scheduled on October 15, 2009 and October 27, 2009.

Based on a review of the record, this Court now sets a hearing for December 11, 2009 at 10:00 am in Courtroom 10 (GSA) to address whether Mr. Medina will be held in civil contempt for failure to appear at his depositions. **No later than November 30, 2009**, Mr. Medina may file and serve papers to address his failure to appear and to show cause why he should not be held in civil contempt for failure to appear at the depositions. **No later than December 7, 2009 at 12:00 pm**, Defendants and other parties may file and serve papers to respond to Mr. Medina’s papers. This Court orders that **no later**

1 **than November 17, 2009**, Defendants shall **personally** serve Mr. Medina with a copy of this order and  
2 with a copy of Defendants' application papers for an order to show cause.<sup>1</sup>

3  
4 IT IS SO ORDERED.

5 **Dated: November 10, 2009**

/s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE

6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

27 <sup>1</sup> The Court notes that Defendants have already served Mr. Medina with a copy of their application papers by mail  
28 on November 5, 2009. The Court orders that the papers are reserved via personal service to ensure Mr. Media receives notice of this hearing.