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

LARRY TATE,

Plaintiff,

vs.

MATTHEW CATE, et al.,

Defendants.

Case No. 1:09-cv-00770 JLT (PC)

ORDER DISCHARGING ORDER TO SHOW
CAUSE

(Doc. 53)

_____ /

On March 30, 2011, Plaintiff filed a motion to compel the production of documents. (Doc. 52.) Defendant, however, failed to file an opposition or statement of no opposition to the motion in accordance with the Local Rules. Thus, on September 7, 2011, the Court ordered Defendant to show cause why sanctions should not be imposed and directed Defendant to file a response to the motion to compel. (Doc. 53.) On September 20, 2011, counsel for Defendant filed an opposition to the motion to compel (Doc. 56) and a response to the Court’s order to show cause (Doc. 55). In the response, counsel for Defendant explains that her failure to file a timely opposition was a mere oversight. (Id. at 2.) Counsel asserts that she did not fully grasp the nature of Plaintiff’s filing, as it appeared to her to be a simple letter directed to the Court. (Id.)

Given counsel’s response, the Court does not find sanctions to be warranted at this time. Accordingly, it is **HEREBY ORDERED** that the Court’s September 7, 2011 order to show cause is **DISCHARGED**. Nevertheless, the Court sternly reminds counsel of her obligations pursuant to

1 Local Rule 230(l). This is the second time in which the Court has issued an order to show cause in
2 response to Defendant's failure to file a timely opposition to Plaintiff's motion to compel. (Docs.
3 36 & 40.)
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5 IT IS SO ORDERED.

6 Dated: September 23, 2011

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE

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