

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

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

HOPSCOTCH ADOPTIONS, et al.,

CASE NO. 1:09-cv-2101-LJO-MJS

Plaintiff,

ORDER NOTIFYING DEFENDANT THAT  
COMMUNICATIONS WITH THE COURT  
MUST BE ROUTED THROUGH THE  
CLERK'S OFFICE

v.

VANESSA KACHADURIAN,

CLERK TO DOCKET DEFENDANT'S  
FEBRUARY 17, 2011 EMAIL TO THE  
COURT

Defendant.

\_\_\_\_\_ /

On February 17, 2011, the Court received an email from Defendant Vanessa Kachadurian. Such communication is improper. If Defendant wishes to communicate with the Court, she **must** file her communication through the Clerk's office for filing on this case's docket. Defendant previously was warned against emailing the Court directly. (ECF No. 39.) Failure to comply with this Order in the future will result in sanctions being imposed.

Moreover, both parties are reminded that all communication with the Court is subject to Federal Rule of Civil Procedure 11, which provides:

- (b) Representations to the Court.

1 By presenting to the court pleading, written motion, or other  
2 paper—whether by signing, filing, submitting, or later  
3 advocating it—an attorney or unrepresented party certifies that  
4 to the best of the person’s knowledge, information, and belief,  
5 formed after an inquiry reasonable under the circumstances:

- 6 (1) it is not being presented for any improper  
7 purpose, such as to harass, cause unnecessary  
8 delay, or needlessly increase the cost of  
9 litigation;
- 10 (2) the claims, defenses, and other legal contentions  
11 are warranted by existing law or by a  
12 nonfrivolous argument for extending, modifying  
13 or reversing existing law or for establishing new  
14 law;
- 15 (3) the factual contentions have evidentiary support  
16 or, if specifically so identified, will likely have  
17 evidentiary support after a reasonable  
18 opportunity for further investigation or discovery;  
19 and
- 20 (4) the denials of factual contentions are warranted  
21 on the evidence or, if specifically so identified,  
22 are reasonably based on belief or lack of  
23 information.

24 Fed. R. Civ. P. 11(b).

25 If either party violates Rule 11, the Court will not hesitate to impose sanctions. The  
26 Court will not permit personal attacks such as those that apparently have occurred in  
27 connection with this case in the past.

The email which prompted this Order seems to request that Defendant be excused  
from personally attending the March 3, 2011 Scheduling Conference. That request is  
DENIED. The Court hereby ORDERS both parties to appear personally before the Court  
for a Mandatory Initial Scheduling Conference on March 3, 2011 at 10:30 a.m. in  
Courtroom 6. Failure to appear would be a violation of a court order and result in  
sanctions. Further, the parties are reminded of their obligation to develop a Joint

1 Scheduling Conference Report and submit it to the Court at least seven days prior to the  
2 Scheduling Conference. The required contents of the Joint Scheduling Conference Report  
3 are outlined in the Court's initial case documents. (ECF No. 5.) The Clerk will serve  
4 another copy of the initial case documents on Defendant with this order.  
5

6 In accordance with the above, the Court hereby ORDERS:

- 7 1. The Clerk shall file Defendant's February 17, 2011 email on the docket;
- 8 2. Unless otherwise ordered by the Court, any further communication from the  
9 parties must be filed on the docket through the Clerk's office;
- 10 3. The parties and/or their representatives shall personally appear before the  
11 Court for a Mandatory Scheduling Conference on March 3, 2011 at 10:30  
12 a.m. in Courtroom 6;
- 13 4. The Clerk shall serve a copy of the initial case documents (ECF No. 5) on  
14 Defendant; and
- 15 5. The parties shall confer with each other to develop a Joint Scheduling  
16 Conference Report that complies with the Court's requirements as stated in  
17 the initial case documents.  
18  
19

20  
21 IT IS SO ORDERED.

22 Dated: February 17, 2011

23 Isl. Michael J. Seng  
24 UNITED STATES MAGISTRATE JUDGE  
25  
26  
27