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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JASON LATRELL THOMAS,

 Plaintiff,

 v.

M. WILBER, et al.,

 Defendants.

Case No. 1:10-cv-00006-SKO (PC)

**ORDER VACATING DEFENDANTS’
PRETRIAL STATEMENT DEADLINE
AND TRIAL CONFIRMATION HEARING,
SETTING ORDER TO SHOW CAUSE
HEARING, AND REQUIRING ATTORNEY
STEVE WHITWORTH TO PERSONALLY
APPEAR**

Date: April 28, 2015
Time: 10:30 a.m.
Courtroom: 7

This case is set for a telephonic trial confirmation hearing on May 6, 2015, and jury trial on June 2, 2015. For the third time, Steve Whitworth, Esquire, counsel for Plaintiff, has violated a court order by failing to file a pretrial statement. (Docs. 130, 131, 136.) The order to show cause why counsel should not be sanctioned, filed on March 23, 2015, remains pending, as discharge was contingent upon compliance with the April 20, 2015, deadline. (Docs. 132, 136.)

Accordingly, based on Plaintiff’s failure to file a pretrial statement on or before April 20, 2015, the Court **HEREBY ORDERS** as follows:

1. The deadline for Defendants to file their pretrial statement, set for April 27, 2015, is **VACATED**;
2. The telephonic trial confirmation hearing set for May 6, 2015, at 2:00 p.m. is **VACATED**;

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- 3. The order to show cause filed on March 23, 2015, is set for hearing on April 28, 2015, at 10:30 a.m. in Courtroom 7;
- 4. **Steve Whitworth, Esquire, is required to personally appear for the hearing;**
and
- 5. Defendants' counsel may appear by telephone.¹

IT IS SO ORDERED.

Dated: April 21, 2015

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

¹ (559) 499-5790.