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

KEVIN SIMMONS,

Plaintiff,

vs.

RITE OF PASSAGE ATHLETIC
TRAINING CENTERS AND
SCHOOLS, et al.,

Defendants.

CASE NO. CV F 10-1331 LJO GSA

ORDER TO SHOW CAUSE WHY SUMMARY
JUDGMENT PAPERS SHOULD NOT BE
STRICKEN
(Doc. 29.)

_____ /

This Court's December 15, 2011 order, based on the parties' stipulation, required defendants, no later than March 8, 2012, to file and serve dispositive motion papers. This Court's Local Rule 230(b) requires a moving party to file "a notice of motion, motion, accompanying briefs, affidavits, if appropriate, and copies of all documentary evidence that the moving party intends to submit in support of the motion." On March 8, 2012, defendants filed a notice of summary judgment motion with no supporting papers. On March 13, 2012, after Court staff informed defense counsel of disobedience of the December 15, 2011 order and Local Rule 230(b), defendants filed an amended notice of motion and supporting papers for summary judgment. Defendants' papers fail to address disobedience of the December 15, 2011 order and Local Rule 230(b).

This Court's Local Rule 110 provides that failure to comply with an order of this Court "may be grounds for imposition by the Court of any and all sanctions authorized by statute or Rule or within the inherent power of the Court."

This Court ORDERS the defendants, no later than March 19, 2012, to file and serve papers to

1 show cause why this Court should not strike defendants' summary judgment papers and vacate the April
2 10, 2012 summary judgment hearing due to defendants' disobedience of the December 15, 2011 order
3 and Local Rule 230(b).

4 This Court ADMONISHES the parties and counsel that they are required to obey the Federal
5 Rules of Civil Procedure and this Court's Local Rules and orders and are subject to sanctions as this
6 Court deems appropriate.

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8 IT IS SO ORDERED.

9 **Dated: March 14, 2012**

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE

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