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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOHN LYSTAD, et al.,

Plaintiffs,

v.

SUNTRUST MORTGAGE, INC.,

Defendant.

CASE NO. 11-cv-00655-SKO

**ORDER RE FAILURE TO FILE
JOINT PRETRIAL STATEMENT**

**ORDER CONTINUING PRETRIAL
CONFERENCE**

On October 21, 2011, the Court issued a scheduling order setting a Pretrial Conference in this matter for August 1, 2012. (Doc. 33.) The scheduling order provided the following with respect to the Pretrial Conference:

The parties are ordered to file a **Joint Pretrial Statement pursuant to Local Rule 281(a)(2)**. The parties are further directed to submit a digital copy of their pretrial statement in Word Perfect X3 [footnote omitted] format, directly to Judge Oberto's chambers by email at SKOorders@caed.uscourts.gov.

The attention of counsel is directed to **Rules 281 and 282 of the Local Rules** of Practice for the Eastern District of California, as to the obligations of counsel in preparing for the pre-trial conference. The Court will insist upon strict compliance with those rules. In addition to the matters set forth in the Local Rules the Joint Pretrial Statement shall include a Joint Statement of the case to be used by the Court to explain the nature of the case to the jury during voir dire.

(Doc. 33, p. 5, pt. VII.)

1 As the parties' Pretrial Conference was set for August 1, 2012, the parties' Joint Pretrial
2 Statement was to be filed no later than July 25, 2012. *See* Local Rule 281(a)(2).¹ The parties have
3 failed to file the Joint Pretrial Statement.

4 Accordingly, IT IS HEREBY ORDERED that:

5 1. **On or before August 1, 2012**, the parties shall **either**:

6 a. File a Joint Pretrial Statement in compliance with Local Rule 281(a)(2) and
7 submit a digital copy of their statement to SKOrders@caed.uscourts.gov; **or**

8 b. Show cause why sanctions should not be imposed for failure to file the Joint
9 Pretrial Statement.

10 2. The Pretrial Conference currently set for August 1, 2012, is **CONTINUED to**
11 **August 8, 2012, at 2:00 p.m. in Courtroom 7.**

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14 IT IS SO ORDERED.

15 **Dated: July 26, 2012**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

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27 ¹ The U.S. District Court for the Eastern District of California's Local Rule 281(a)(2) provides the following:
28 "Not less than seven (7) days before the date set by the Court for the holding of the final pretrial conference, or such other time as the Court may order, counsel for all parties shall file a joint pretrial statement in the form prescribed herein or in such other form as the Court may prescribe."