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6 **UNITED STATES DISTRICT COURT**

7 EASTERN DISTRICT OF CALIFORNIA

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9 UNITED STATES OF AMERICA,

CASE NO. 1:11-cv-00847-SAB

10 Plaintiff,

ORDER REQUIRING PARTIES TO MEET  
AND CONFER AND PROVIDE A JOINT  
STATEMENT OF UNDISPUTED FACTS

11 v.

12 CHRIS CAPRIOTTI, et al.,

(ECF Nos. 87, 92)

13 Defendants.  
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15 Plaintiff United States of America filed this action on May 23, 2011, against Defendants  
16 Chris Capriotti, Carrie Capriotti, State of California Franchise Tax Board, the Chris and Carrie  
17 Capriotti Family Trust, and Oakview Trust. On January 18, 2013, Plaintiff and Defendants Oakview  
18 Trust and the Chris and Carrie Capriotti Trust filed motions for summary judgment.

19 In the scheduling order issued December 9, 2011, the parties were advised that prior to filing  
20 a motion for summary judgment they were to meet and confer. The order requires the moving party  
21 to file a joint statement of undisputed facts with the motion for summary judgment. The moving  
22 party is required to certify that the parties have met and conferred as set forth in the order or set forth  
23 a statement of good cause for the failure to meet and confer. (Scheduling Order 4:8-20.)

24 The Court has reviewed the moving papers of the parties, and neither party has certified that  
25 they have met and conferred prior to bringing their motions for summary judgment, nor has a joint  
26 statement of undisputed facts been submitted by either party. Accordingly,

27 IT IS HEREBY ORDERED that the parties shall certify that they have met and conferred as  
28 required by the scheduling order and shall file a joint statement of undisputed facts by 4:00 p.m. on

1 Friday, March 1, 2013. Should the parties fail comply with this order, the hearing date on the  
2 motions for summary judgment shall be vacated and a status conference set.

3 IT IS SO ORDERED.

4 **Dated: February 25, 2013**

  
UNITED STATES MAGISTRATE JUDGE

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