1 2 3 4 5 6 UNITED STATES DISTRICT COURT 7 EASTERN DISTRICT OF CALIFORNIA 8 9 METROPOLITAN LIFE INSURANCE CASE NO. 1:12-CV-0422-LJO-MJS 10 COMPANY, A NEW YORK CORP. ORDER TO SHOW CAUSE WHY PARTIES 11 Plaintiff, SHOULD NOT BE SANCTIONED FOR FAILURE TO COMPLY WITH ORDER 12 SETTING MANDATORY SCHEDULING ٧. CONFERENCE. 13 ROSEMARY L. MARTIN, AN 14 INDIVIDUAL; and ESTATE of SUZANNE SHOW CAUSE HEARING AND **ESPARAZA** CONTINUED SCHEDULING 15 **CONFERENCE SET FOR JANUARY 31.** Defendants. 2013 AT 9:30 A.M. 16 17 / (ECF No. 3) 18 19 The Initial Scheduling Conference set for January 4, 2013 at 10:30 a.m. 20 21 before Magistrate Judge Michael J. Seng is continued to January 31, 2013 at a 9:30 a.m. 22 before Magistrate Judge Michael J. Seng in Courtroom 6. 23 On March 22, 2012, this Court issued an "Order Setting Mandatory Scheduling" 24 Conference" (ECF No. 3) which, as amended by ECF No. 6, 13, 14, 16 and 20, informed 25 counsel that "A Joint Scheduling Report, thoughtfully prepared and executed by all 26 counsel, shall be electronically filed in CM/ECF one (1) full week prior to the Scheduling 27

Conference and be emailed, in Wordperfect, to mjsorders@caed.uscourts.gov. "The parties did not comply with this requirement.

The Court also notes that an apparently essential party, the Estate of Suzanne Esparza, though reportedly served September 27, 2012, has not yet appeared and no default has been entered against that party.

Accordingly, the parties are ORDERED to Show Cause on January 31, 2013 at 9:30 a.m. before Magistrate Judge Michael J. Seng in Courtroom 6 why they should not be sanctioned for their failure to comply with this Court's Order Setting Mandatory Scheduling Conference and for delay in requiring the appearance or otherwise proceeding against the Estate of Suzanne Esparza.

IT IS SO ORDERED.

Dated: January 3, 2013

Isl Michael J. Seng
UNITED STATES MAGISTRATE JUDGE