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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

THERESA DISNEY,
Plaintiff,
v.
KENWORTH and DOES 1 through 50,
inclusive,
Defendants.

) 1:12-cv-00484 AWI GSA
) **ORDER DISCHARGING ORDER TO**
) **SHOW CAUSE**
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Following removal from state court in March 2012, this matter was set for an Initial Scheduling Conference. (See Doc. 5.) Before the scheduling conference occurred however, the only named Defendant was dismissed from the action. (Doc. 19.)

On July 13, 2012, this Court issued an Order to Show Cause (“OSC”) for Plaintiff’s failure to follow a court order when Plaintiff failed to file a scheduling report no later than July 11, 2012. (Doc. 20.)

On July 18, 2012, Plaintiff filed a motion to amend the complaint. That matter is set to be heard August 10, 2012. (Doc. 21.)

1 On July 30, 2012, Plaintiff filed a request to continue the OSC hearing, or alternatively,
2 for permission to appear at the OSC hearing by telephone. (Doc. 23.)

3 In the request, Plaintiff's counsel explains that because Defendant Kenworth had been
4 dismissed from this matter, his paralegal "assumed the scheduling conference was off calendar."
5 Therefore, counsel's failure to file the scheduling report was the result of a mistake.

6 Based on the foregoing, good cause for Plaintiff's failure to file a joint scheduling report
7 as previously ordered has been shown. Accordingly, the Order to Show Cause is hereby
8 DISCHARGED. The hearing set for August 3, 2012, is VACATED.

9
10 IT IS SO ORDERED.

11 **Dated: July 31, 2012**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE