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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

MICHAEL J. SULLIVAN,
Plaintiff,
v.
CHEN, *et al.*,
Defendants.

**Case No. 1:12-cv-01662-AWI-EPG
ORDER TO SHOW CAUSE FOR
FAILURE TO APPEAR**

On June 28, 2012, Plaintiff Michael J. Sullivan filed a complaint in this action. (ECF No. 9.) After screening his second amended complaint, the Court ordered the second amended complaint to be served on Defendants Chen, Patel, and Marchiano. (ECF No. 57.) On January 3, 2017, the Court ordered the parties to serve initial disclosures on each other and set an initial scheduling conference for May 1, 2017. (ECF No. 78.)

The Court held the initial scheduling conference in this case on May 1, 2017 at 2:00 p.m. Catherine Woodbridge appeared telephonically for Defendants. Plaintiff failed to appear for the hearing and did not file any request for a continuance or otherwise notify the Court that he would not be able to appear.

The Court also notes that Plaintiff did not file a scheduling conference statement, has failed to serve any initial disclosures on Defendants, and has not responded to any of Defendants' discovery requests.

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Accordingly, the Court orders that Plaintiff show cause why sanctions, up to and including dismissal of his case, should not be issued for failure to comply with this Court's orders and for failure to prosecute this case.

The Court sets an Order to Show Cause hearing for **May 15, 2017 at 9:30 a.m.** in Courtroom 10. Plaintiff is ORDERED to appear and explain his failure to appear at the initial scheduling conference on May 1, 2017. Should Plaintiff provide an appropriate and satisfactory explanation, the Order to Show Cause hearing will be converted to a scheduling conference and the case will be scheduled.

Plaintiff is cautioned that failure to respond to this Order as set forth above may result in the dismissal of this action.

IT IS SO ORDERED.

Dated: May 1, 2017

/s/ Eric P. Gray
UNITED STATES MAGISTRATE JUDGE