## UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

MARIA AURORA RASCON,	Case No.: 1:13-cv-01578 -AWI - JLT
Plaintiff,  v.	ORDER DISCHARGING ORDER TO SHOW CAUSE
DIVERSIFIED MAINTENANCE SYSTEMS, INC. et al.,	(Doc. 24)
Defendant.	

On May 28, 2014, the Court held the scheduling conference in this case. (Doc. 22) As a result of the failure of Plaintiff and her counsel to appear at the conference, the Court issued an order to them to show cause why sanctions should not be imposed. (Doc. 23)

On May 29, 2014, attorney Marcus Lee responded that he assumed, despite the explicit orders to the contrary, that Judge Ishii would be handling the scheduling conference. (Doc. 24 at 2) Thus, he reviewed Judge Ishii's calendar and decided that Judge Ishii normally hears such civil matters at 1:30 p.m. <u>Id</u>. Thus, Mr. Lee calendared the conference at 1:30. <u>Id</u>. Mr. Lee made arrangements to appear via CourtCall and this service signed him up at the correct time, 9:00 a.m., and at the correct place, the United States Courthouse in Bakersfield, California. <u>Id</u>. However, Mr. Lee failed to review the CourtCall confirmation and did not apprise himself of the correct time for the conference. <u>Id</u>.

Though Mr. Lee fails to explain why he believed this Court's explicit order setting the conference at 9:00 a.m. before Judge Thurston was not accurate or may be disregarded, the Court