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3 **UNITED STATES DISTRICT COURT**
4 **EASTERN DISTRICT OF CALIFORNIA**
5

6 **TREVOR WEEKS,**

7 **Plaintiff**

8 **v.**

9 **UNION PACIFIC RAILROAD CO.,**

10 **Defendant**
11

CASE NO. 1:13-CV-1641 AWI JLT

**ORDER ON EX PARTE REQUETS FOR
TEMPORARY STAY OF ORDER**

(Doc. No. 196)

12
13 On March 14, 2018, the Court issued an order that terminated Weeks’s counsel Kay
14 Parker, acknowledged the withdrawal of a motion to strike, and ordered the filing of status reports.
15 See Doc. No. 195.

16 On March 16, 2018, Parker filed an ex parte application for a “temporary stay order
17 allowing deposit of disputed attorney’s into commingled unmonitored account of claimant
18 pending motion for modification pursuant to FRCP 59 or alternatively for order directing deposit
19 of fund into separate account or deposit into account.” Doc. No. 196. The docket notes that it is
20 filed on behalf of Weeks.

21 The Court will deny the motion. First, the caption is misleading in that it misrepresents
22 what the Court’s prior order did. While the Court indicated that there appeared to be nothing
23 improper about Mullanax receiving the disputed attorneys’ fees because he was aware of the
24 dispute, attempting to resolve the dispute, and appears to be aware of the significance of the liens,
25 the Court did not order that anything be done with the fees. Second, there is obvious distrust
26 between Parker and Mullanax, but distrust is no reason for the Court to insert itself into this
27 ancillary dispute. Third, like Parker’s previous motions, there is no meaningful citation to
28 authority and she continues to neglect to address the Court’s citations and rationale regarding

1 declining to exercise ancillary jurisdiction.¹ Parker's continued applications to the Court warning
2 of imminent payment of fees is not a reason for the Court to insert itself into this dispute. Further
3 unsupported motions that either request the same relief previously denied or that merely state that
4 Parker intends to file some motion in the future will result in a summary denial and the striking of
5 the filing. Additionally, because Parker no longer represents Weeks, further filings by Parker
6 should not indicate that the filings are on behalf of Trevor Weeks.

7 Finally, the Court received a status report from Mullanax on March 14, 2018. The
8 deadline for the status report is today. After Mullanax filed the status report, the Court issued its
9 order regarding Weeks's representation. Mullanax should refile a new status report in light of this
10 order and the Court's March 14, 2018 order.

11
12 **ORDER**

13 Accordingly, IT IS HEREBY ORDERED that:

- 14 1. Parker's ex parte request to stay (Doc. No. 196) is DENIED; and
15 2. Weeks's counsel Greg Mullanax shall file a new status report as soon as possible, but no
16 later than 1:00 p.m. on March 21, 2018.

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18 IT IS SO ORDERED.

19 Dated: March 19, 2018


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21 SENIOR DISTRICT JUDGE

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¹ Citing two rules of civil procedure without elaboration is insufficient.