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6 **UNITED STATES DISTRICT COURT**

7 EASTERN DISTRICT OF CALIFORNIA

9 RICHARD ADAMS, et al.,

10 Plaintiffs,

11 v.

12 ARNOLD SCHWARZENEGGER, et al.,

13 Defendants.

Case No. 1:14-cv-01226-LJO-SAB

ORDER FOR PLAINTIFFS' COUNSEL TO
SHOW CAUSE WHY SANCTIONS
SHOULD NOT ISSUE FOR FAILURE TO
COMPLY WITH LOCAL RULE 123

RESPONSE DUE AUGUST 25, 2014

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15 This action was filed in the Sacramento Division of the Eastern District of California on
16 July 14, 2014. (ECF No. 1.) On August 5, 2014, an order issued transferring the action to the
17 Fresno Division of the Eastern District of California. (ECF No. 5.) On August 12, 2014, an
18 order issued finding this action is related to Jackson, et al. v. State of California, et al., 1:13-cv-
19 01055-LJO-SAB; Smith, et al. v. Schwarzenegger, et al., 1:14-cv-00060-LJO-SAB; Beagle, et
20 al. v. Schwarzenegger, et al., 1:14-cv-00430-LJO-SAB; and Abukar, et al. v. Schwarzenegger, et
21 al., 1:14-cv-00816-LJO-SAB. (ECF No. 7.)

22 Initially, venue regarding the allegations raised in this action has been litigated in Smith,
23 et al. v. Schwarzenegger, et al., 1:14-cv-00060-LJO-SAB, and Beagle, et al. v. Schwarzenegger,
24 et al., 1:14-cv-00430-LJO-SAB and found to be appropriate in the Fresno Division of the Eastern
25 District. See Smith v. Schwarzenegger, No. 1:14-cv-00060-LJO-SAB (E.D. Cal. Mar. 27, 2014)
26 at ECF No. 30; Smith v. Schwarzenegger, No. 2:13-cv-02254-DAD (E.D. Cal. Mar. 24, 2014) at
27 ECF No. 15; Beagle v. Schwarzenegger, No. 2:14-cv-00410-MCE-KJN (E.D. Cal. Mar. 26,
28 2014) at ECF No. 11. Counsel is advised that the Court looks with disfavor on the practice of

1 continuing to file these related actions in the Sacramento Division while knowing that venue has
2 been adjudged to be proper in the Fresno Division.

3 In regards to the related actions, the Local Rules of the United States Court, Eastern
4 District of California state that:

5 Counsel who has reason to believe that an action on file or about to be filed may be
6 related to another action on file (whether or not dismissed or otherwise terminated)
7 shall promptly file in each action and serve on all parties in each action a Notice of
8 Related Cases. This notice shall set forth the title and number of each possibly related
9 action, together with a brief statement of their relationship and the reasons why
10 assignment to a single Judge and/or Magistrate Judge is likely to effect a savings of
11 judicial effort and other economies.

12 L.R. 123(b).

13 Plaintiffs have not filed a notice of related case in any of the actions filed after Smith, et
14 al. v. Schwarzenegger, et al., 1:14-cv-00060-LJO-SAB. Smith, Beagle, Akubar, and Adams are
15 all represented by and have been filed by the same counsel. These actions are based upon the
16 same facts and set forth the same causes of action. They are clearly related under the Local Rule.
17 The failure to comply with the Local Rule has resulted in a waste of judicial time, effort, and
18 resources. The Court has issued multiple scheduling orders due to the Clerk's Office not
19 receiving notice that the actions are related and the Court has expended time researching to find
20 these related cases. The expenditure of this time and resources would not have occurred if
21 Plaintiffs had complied with the Local Rule.

22 Based on the foregoing, IT IS HEREBY ORDERED that Plaintiffs' counsel shall show
23 cause in writing by August 25, 2014 why sanctions should not issue for the failure to comply
24 with Local Rule 123.

25 IT IS SO ORDERED.

26 Dated: August 13, 2014

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UNITED STATES MAGISTRATE JUDGE