UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA JAIME PEREZ and NANCY SILVA, No. 1:15-cv-00259-DAD-SKO individually and on behalf of others similarly situated, Plaintiffs. ORDER TO SHOW CAUSE v. SUN PACIFIC FARMING COOPERATIVE, INC., Defendant.

On August 5, 2015, the court issued a Status (Pretrial Scheduling) Order in this action setting a Final Pretrial Conference for December 8, 2016, at 3:30 p.m., and a November 17, 2016 deadline for the filing of a joint pretrial conference statement by the parties. (Doc. No. 31 at 5.) On February 22, 2016, due to the reassignment of the case to the undersigned, the Final Pretrial Conference was advanced to December 5, 2016, at 2:30 p.m. (Doc. No. 33.) On June 16, 2016, pursuant to the stipulation of the parties, the court extended the deadline for filing a motion for class certification to August 5, 2016. (Doc. No. 44.) On June 30, 2016, again pursuant to the stipulation of the parties, an order issued granting defendant leave to file an amended answer to assert a new affirmative defense pursuant to California Labor Code Section 226.2(b). (Doc. No. 46.) Defendant subsequently filed an amended answer on July 1, 2016. (Doc. No. 47.)

However, plaintiff did not file a motion for class certification within the extended time provided

and the parties have failed to file the joint pretrial conference statement as required by the Pretrial Scheduling Order despite the deadline for doing so having passed. Finally, the parties have not otherwise contacted the court since they submitted their stipulation and proposed order on June 28, 2016 to allow the filing of the amended answer.

The court therefore orders the parties to show cause in writing by **Friday**, **December 2**, **2016** regarding why sanctions should not be imposed due to their failure to comply with the court's orders. The court also sets a hearing on the order to show cause at the same time as the scheduled Final Pretrial Conference which is set for **Monday**, **December 5**, **2016** at **2:30 pm. in Courtroom 5**, **Robert E. Coyle Federal Building**, **2500 Tulare Street**, **Fresno**, **California**. The parties are forewarned, that should they fail to respond to this order to show cause in writing and/or fail to appear at the scheduled December 5, 2016 hearing, as required by this order, sanctions will likely be imposed. *See Chambers v. NASCO*, *Inc.*, 501 U.S. 32, 42–46 (1991) (recognizing that it is within the inherent authority of the court to control its docket and require compliance with its orders).

IT IS SO ORDERED.

Dated: **November 30, 2016**

UNITED STATES DISTRICT JUDGE