

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DESIREE MARTINEZ,

Case No. 1:15-cv-00683-DAD-SKO

Plaintiff,

v.

**ORDER REQUIRING DEFENDANT
KYLE PENNINGTON TO SHOW CAUSE
WHY SANCTIONS SHOULD NOT ISSUE
FOR FAILING TO COMPLY WITH THE
COURT’S ORDER OR
ALTERNATIVELY TO SUBMIT A
CONFIDENTIAL SETTLEMENT
CONFERENCE STATEMENT**

KYLE PENNINGTON, KIM
PENNINGTON,

Defendants.

_____ /

Procedural History

A Settlement Conference in this case was set for August 27, 2024. The Court and issued an ‘Order re Settlement Conference’ (SC Order) on April 23, 2024. (Docs. 242.) The parties were required to submit a confidential settlement statement to the Court no later than fourteen days before the conference date. (Doc. 242 at 2.) The Court also set a pre-settlement telephonic conference on August 20, 2024. (Doc. 242 at 4.)

Defendant Kyle Pennington neither submitted a confidential settlement statement, nor appeared at the August 20, 2024, pre-settlement telephonic conference. (Doc. 247.) The Court set a further pre-settlement conference for August 22, 2024, to discuss the propriety of proceeding with the August 27, 2024, settlement conference. (Id.)

On August 22, 2024, the Court held a follow-up telephone conference at which all parties

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Order

Accordingly, IT IS HEREBY ORDERED that:

1. By no later than **October 21, 2024**, Defendant Kyle Pennington shall **either**:
 - a. file a written response to this order showing cause why sanctions should not issue for the failure to comply with the Court’s order; or
 - b. submit a confidential settlement conference statement.
2. The Clerk of the Court SHALL serve a copy of this Order to defendant Kyle Pennington at the P.O. Box listed on the docket.

Failure to comply with this order may be grounds for the imposition of sanctions on any and all counsel as well as any party or parties who cause such non-compliance.

IT IS SO ORDERED.

Dated: **October 17, 2024**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE