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6 UNITED STATES DISTRICT COURT  
7 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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9 DAVID ALLEN,

10 Plaintiff,

11 v.

12 NORM KRAMER, *et al.*,

13 Defendants.  
14

Case No. 1:15-cv-01609-DAD-JDP

ORDER TO SHOW CAUSE WHY COURT  
SHOULD NOT TAKE ACTION BASED ON  
APPARENT UNAUTHORIZED PRACTICE  
OF LAW

15 As a general matter, attorneys practicing in the Eastern District of California must be  
16 members of the Bar of this Court and active members in good standing of the State Bar of  
17 California. *See* Local Rule 180(a), (b); *see also* State Bar of California Rule 1-300 (prohibiting  
18 unauthorized practice of law). Additionally, employers who are members of the State Bar of  
19 California are prohibited from employing suspended or involuntarily inactive bar members to  
20 engage in the practice of law—if the employer knows or reasonably should know about the  
21 suspension or involuntary inactivation. *See* State Bar of California Rule 1-311(B) (“A member  
22 shall not employ, associate professionally with, or aid a person the member knows or  
23 reasonably should know is a disbarred, suspended, resigned, or involuntarily inactive member  
24 to . . . [a]pppear on behalf of a client in any hearing or proceeding or before any judicial officer,  
25 arbitrator, mediator, court, public agency, referee, magistrate, commissioner, or hearing officer  
26 . . . [or to e]ngage in activities which constitute the practice of law.”). Scott C. Hawkins has  
27 appeared in this case on behalf of defendant Fresno Board of Supervisors. The attorney  
28 directory of the State Bar of California appears to indicate that Mr. Hawkins was not

1 authorized to practice law in California during the one-month period from July 3, 2018 to  
2 August 3, 2018.<sup>1</sup> During this period, Mr. Hawkins made two filings in this case. (*See* Doc.  
3 Nos. 51 (Request to Stay the Action, or Alternatively for Additional Time to Reply), 55  
4 (Response to Court Order ECF No. 53)). In the first of these filings, Mr. Hawkins stated: “I  
5 am licensed to practice law in all of the Courts of the State of California, including the Federal  
6 Court for the Eastern District of California.” (Doc. No. 51, at 2-3.)

7 The undersigned is concerned that an individual may have engaged in unauthorized  
8 practice of law before this court. By the deadline set below, attorney Daniel Cederborg, Fresno  
9 County Counsel, and Mr. Hawkins are ordered to show cause why this court should not take  
10 action based on the apparent unauthorized practice of law. The response to this order should  
11 address (1) whether Mr. Hawkins has engaged in unauthorized practice of law (*see* Doc. Nos.  
12 51, 55), (2) the measures employed by Fresno County Counsel to prevent unauthorized  
13 practice of law on behalf of Fresno Board of Supervisors or the County of Fresno, (3) whether  
14 the court should report this matter to the State Bar of California or other entity, and (4) whether  
15 the court should impose penalties. The court will determine at a later point whether a hearing  
16 is warranted.

17 **Order**

- 18 a. The Clerk of Court is directed to serve a copy of this order on attorney Daniel  
19 Cederborg, Fresno County Counsel.
- 20 b. Attorneys Daniel Cederborg and Scott Hawkins must submit separate, written  
21 responses to this order by Tuesday, September 18, 2018.
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25 <sup>1</sup> *See* STATE BAR OF CALIFORNIA, *Attorney Search Bar No. 207236*,  
26 <http://members.calbar.ca.gov/fal/Licensee/Detail/207236> (last visited Sep. 10, 2018) (stating,  
27 alongside the entry 7/3/2018, “Not Eligible To Practice Law in California” and “Admin  
28 Inactive/MCLE noncompliance”). Mr. Hawkins appears to have re-entered Active status on  
August 3, 2018; an entry alongside 8/3/2018 states “Active.” *Id.*

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IT IS SO ORDERED.

Dated: September 11, 2018

  
UNITED STATES MAGISTRATE JUDGE