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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MARTIN VOGEL,
Plaintiffs,
v.
PNS STORES, INC., et al.,
Defendants.

Case No. 1:16-cv-00204-DAD-MJS
**ORDER DENYING REQUEST TO REPEAL
SANCTIONS
(ECF NO. 23)**

On November 17, 2016, the parties appeared before the Court for a scheduling conference and advised the Court that they had reached agreement to settle the matter in its entirety. (See ECF Nos. 19, 20.) The parties were ordered to submit dispositive documents within sixty days. (Id.) The sixty day deadline passed without the parties submitting said documents or seeking an extension of time to do so. Accordingly, on February 28, 2017, the Court ordered the parties to show cause, within fourteen days, why sanctions should not be imposed. (ECF No. 21.) The parties did not respond to the order to show cause. To date, dispositive documents have not been filed.

On March 15, 2017, the Court imposed monetary sanctions in the amount of \$250 each on counsel for the parties. (ECF No. 22.) On April 5, 2017, Counsel for Defendant PNS Stores, Inc. filed a declaration asking that sanctions as to his client be repealed.

1 (ECF No. 23.) He states that he has diligently followed up with Plaintiff's counsel and
2 that his client has complied with the terms of the settlement. He attributes the failure to
3 comply with the Court's deadline to "unfortunate oversight."

4 This Court charged all parties with responsibility for filing dispositional documents
5 and, later, ordered all parties to show cause why sanctions should not be imposed.
6 Counsel for PNS Store, Inc., did not respond to either order. Defendant's compliance
7 with the settlement agreement does not excuse the failure to apprise the Court of the
8 status of this case, seek an extension of time to file dispositional documents if
9 necessary, or show cause when ordered to do so.

10 Accordingly, the request to repeal sanctions is HEREBY DENIED.

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12 IT IS SO ORDERED.

13 Dated: April 14, 2017

/s/ Michael J. Seng
14 UNITED STATES MAGISTRATE JUDGE

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