

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

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

Case No. 1:16-cv-00204-DAD-MJS

**SECOND ORDER REQUIRING PLAINTIFF  
TO SHOW CAUSE WHY SANCTIONS  
SHOULD NOT BE IMPOSED FOR FAILURE  
TO FILE DISPOSITIONAL DOCUMENTS**

**(ECF NO. 20)**

**Show Cause Hearing:** May 19, 2017 at 9:30  
a.m. in Courtroom 6 (MJS)

On November 17, 2016, the parties appeared before the Court for a scheduling conference and advised that they had reached agreement to settle the matter in its entirety. (See ECF Nos. 19, 20.) The parties were ordered to submit dispositional 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. Dispositional documents were not filed. On March 15, 2017, the Court imposed monetary sanctions on the parties for failing to comply with the Court's orders. (ECF No. 22.) The sanctions were paid, but dispositional documents remain unfiled.

1           This matter remains pending before this Court despite representations by counsel  
2 for Defendant PNS Stores, Inc., that the parties have executed the release and  
3 settlement agreement and PNS Stores, Inc. has complied with the terms of the  
4 agreement. Thus, it appears that the failure to file dispositional documents rests with  
5 Plaintiff's counsel.

6           Accordingly, it is HEREBY ORDERED that Plaintiff's counsel shall appear in  
7 person for a show cause hearing on May 19, 2017 at 9:30 a.m. in Courtroom 6 (MJS) to  
8 address why further sanctions, to include terminating sanctions and additional monetary  
9 sanctions, should not be imposed for Plaintiff's failure to comply with the Court's orders.

10  
11 IT IS SO ORDERED.

12           Dated: April 20, 2017

*/s/ Michael J. Seng*  
13 UNITED STATES MAGISTRATE JUDGE  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28