

1 Jeremy Bergstrom is the managing attorney for defendant Bergstrom Law, Ltd. Plaintiff's
2 counsel in this action has attempted to communicate with attorney Bergstrom on multiple
3 occasions in an effort to dispose of this matter. However, the record is replete with evidence of
4 attorney Bergstrom's failure to communicate with opposing counsel in a timely fashion.¹
5 Moreover, it is apparent from the record that defendant Bergstrom Law, Ltd. has failed to comply
6 with a court order to compel discovery responses and to pay attorney's fees. (Doc. Nos. 27–29.)
7 Moreover, although attorney Heidbrink departed her employment with Bergstrom Law, Ltd. but
8 failed to move to withdraw as counsel of record on behalf of that entity in this action, it is
9 apparent from the record before this court that attorney Bergstrom was well aware of that
10 situation, was receiving this court's orders and nonetheless failed to comply with those orders and
11 abandoned this litigation. Accordingly, attorney Bergstrom is hereby ordered to show cause in
12 writing as to why his conduct should not be referred to the State Bar of Nevada.

13 Accordingly,

- 14 1. Attorney Heidbrink and attorney Bergstrom are ordered to show cause in writing
15 within fourteen (14) days of the issuance of this order as to why their conduct should
16 not be referred to their respective state bars. The parties are forewarned that should
17 they fail to respond to this order to show cause in writing, as required by this order,
18 sanctions will likely be imposed. *See Chambers v. NASCO, Inc.*, 501 U.S. 32, 42–46
19 (1991) (recognizing that it is within the inherent authority of the court to control its
20 docket and require compliance with its orders);

21 //////

22 //////

23 //////

24 _____

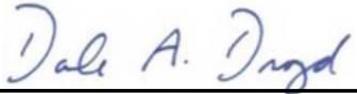
25 ¹ Communications from plaintiff's counsel to attorney Bergstrom that have apparently gone
26 unreturned include: (1) an email to attorney Bergstrom and another Bergstrom Law employee on
27 September 12, 2016 (Doc. No. 25-2 at ¶¶ 17–18; Doc. No. 25-8.); (2) a meet and confer letter sent
28 by email, fax, and USPS to attorney Bergstrom on September 21, 2016 (Doc. No. 25-2 at ¶¶ 19–
20; Doc. No. 25-9.); (3) an email to attorney Bergstrom on September 26, 2016 (Doc. No. 25-2 at
¶¶ 20–21; Doc. No. 25-10.); and (4) separate emails sent to attorney Bergstrom on September 28,
29, and 30, 2016 (Doc. No. 25-2 at ¶¶ 24–28; Doc. No. 25-11; Doc. No. 25-12; Doc. No. 25-13.).

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

2. In addition to ECF service on counsel of record, the Clerk of the Court is also directed to serve a copy of this order on Katherine G. Heidbrink, Esq. at 1 Huntington Quadrangle, Ste. 3N05, Melville, NY 11747-4468; and on Jeremy Bergstrom, Esq. at 9555 S. Eastern Avenue, Suite 200, Las Vegas, NV 89123.

IT IS SO ORDERED.

Dated: September 7, 2017


UNITED STATES DISTRICT JUDGE