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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

MIKE MURPHY'S ENTERPRISES, INC.,

Plaintiff,

v.

FINELINE INDUSTRIES, LLC,

Defendant.

Case No. 1:16-cv-00784-JLT-SAB

ORDER REQUIRING PARTIES TO SHOW  
CAUSE IN WRITING WHY MONETARY  
SANCTIONS SHOULD NOT ISSUE FOR  
FAILURE TO FILE STATUS REPORT

(ECF Nos. 60, 64)

On October 31, 2016, the Court granted Defendant’s motion to stay this case pending resolution of Plaintiff’s parallel state court action. (ECF No. 26.) On November 2, 2016, the Court ordered the parties to file a status report every ninety days until the stay is lifted and set the deadline for the first status report as January 31, 2017. (ECF No. 27.) Since that date, the parties have submitted approximately twenty-one status reports regarding the status of the parallel state court action. On March 29, 2022, the Court issued an order after the parties failed to file a status report. (ECF No. 60.) The order stated: “this is the fourth time it has been required to order the parties to submit their regular status report after they failed to timely do so . . . [s]hould the parties fail to timely submit their next status report, the Court will issue an order to show cause why sanctions should not be issued for their failure to comply with this Court’s orders.” (ECF No. 60 at 1-2.)

The most recent status report was filed on November 23, 2022. (ECF No 64.) The

1 parties did not indicate therein that a further status report was unnecessary. Therefore, the  
2 parties' next status report became due on February 21, 2023, but nothing was filed.

3 Local Rule 110 provides that “[f]ailure of counsel or of a party to comply with these  
4 Rules or with any order of the Court may be grounds for imposition by the Court of any and all  
5 sanctions . . . within the inherent power of the Court.” The Court has the inherent power to  
6 control its docket and may, in the exercise of that power, impose sanctions where appropriate,  
7 including dismissal of the action. Bautista v. Los Angeles County, 216 F.3d 837, 841 (9th Cir.  
8 2000).

9 Accordingly, IT IS HEREBY ORDERED that:

- 10 1. The parties shall show cause in writing within **two (2) days** of the date of entry  
11 of this order why monetary sanctions should not issue for the failure to file a  
12 status report as ordered, in addition to providing a status report; and
- 13 2. Failure to comply with this order will result in the issuance of sanctions.

14  
15 IT IS SO ORDERED.

16 Dated: February 23, 2023

  
UNITED STATES MAGISTRATE JUDGE