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8 **UNITED STATES DISTRICT COURT**  
9 **EASTERN DISTRICT OF CALIFORNIA**  
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11 CYNTHIA HOPSON,

12 Plaintiff,

13 v.

14 RON SIMI, INC., et al.

15 Defendants.  
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Case No. 1:17-cv-00879-DAD-SAB

ORDER DISCHARGING SHOW CAUSE  
ORDER AND DIRECTING CLERK OF  
COURT TO CLOSE CASE AND ADJUST  
DOCKET TO REFLECT VOLUNTARY  
DISMISSAL

(ECF Nos. 11, 12, 13)

17 On November 16, 2017, an order issued requiring Plaintiff to show cause within five days  
18 why this action should not be dismissed as a sanction for Plaintiff's failure to file proof of service  
19 and for failure to file a joint scheduling report in compliance with this Court's scheduling order. On  
20 November 19, 2017, Plaintiff filed a notice of voluntary dismissal but no response to the order to  
21 show cause was filed. On November 22, 2017, an order issued requiring counsel Daniel  
22 Malakauskas to show cause why monetary sanctions should not issue for the failure to respond to  
23 a November 16, 2017 order to show cause. On November 27, 2017, counsel filed a response to  
24 the November 22, 2017 order to show cause.

25 Based upon counsel's response to the order to show cause in this action and counsel's  
26 conduct in other actions proceeding before the undersigned, counsel's office appears to have an  
27 issue with scheduling court deadlines. Counsel is advised that it would be prudent to address this  
28 issue to avoid any further missed deadlines. The Court shall discharge the instant order to show

1 cause, but further failures to comply with deadlines issued by this Court will result in the  
2 issuance of sanctions. In addition, the Court will exercise its discretion and place requirements  
3 on counsel in all future cases that after each order of this Court he will be required to file formal  
4 acknowledgement of the order and an attestation that he has calendared any dates related to that  
5 order.

6 Based on the foregoing, IT IS HEREBY ORDERED that:

- 7 1. The order to show cause, filed November 22, 2017 is HEREBY DISCHARGED;  
8 and
- 9 2. The Court is HEREBY ORDERED to CLOSE the file in this case and adjust the  
10 docket to reflect voluntary dismissal of this action pursuant to Rule 41(a).

11 IT IS SO ORDERED.

12 Dated: November 28, 2017

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14 UNITED STATES MAGISTRATE JUDGE  
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