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5 **UNITED STATES DISTRICT COURT**

6 EASTERN DISTRICT OF CALIFORNIA

8 AURORA CERVANTES,

9 Plaintiff,

10 v.

11 ASJS INVESTMENTS, LLC, et al.,

12 Defendants.

Case No. 1:18-cv-00001-LJO-SAB

ORDER REQUIRING CATHERINE M.
CORFEE TO SHOW CAUSE WHY
SANCTIONS SHOULD NOT BE IMPOSED
FOR FAILURE TO APPEAR

THREE DAY DEADLINE

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14 On December 29, 2017, Plaintiff Aurora Cervantes filed this action alleging violations of
15 the Americans with Disabilities Act of 1990 and state law. (ECF No. 1.) On January 2, 2018, an
16 order issued setting the mandatory scheduling conference for April 2, 2018, at 1:30 p.m. (ECF
17 No. 2.) Approximately thirty minutes prior to the April 2, 2018 hearing the courtroom deputy
18 reached out to Catherine Corfee, counsel for Defendant, and provided her with the telephone
19 number and passcode to appear telephonically at the scheduling conference. Counsel Daniel
20 Malakauskas appeared telephonically for Plaintiff; however counsel for Defendant did not
21 appear. The parties were previously late in filing their joint scheduling report filed last week,
22 despite efforts by the courtroom deputy to inquire of the parties.

23 The Local Rules of the Eastern District of California (“L.R.”) provide that “[f]ailure of
24 counsel or of a party to comply with these Rules or with any order of the Court may be grounds
25 for imposition by the Court of any and all sanctions authorized by statute or Rule or within the
26 inherent power of the Court.” L.R. 110. The Court has the inherent power to control its docket
27 and may, in the exercise of that power, impose sanctions where appropriate, including dismissal
28 of the action. Bautista v. Los Angeles County, 216 F.3d 837, 841 (9th Cir. 2000).

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Based on the foregoing, IT IS HEREBY ORDERED that within three days from the date of entry of this order, Catherine M. Corfee shall show cause in writing why monetary sanctions should not be imposed for the failure to appear at the mandatory scheduling conference. Counsel is forewarned that the failure to comply with this order will result in the imposition of sanctions, which may include the entry of default.

IT IS SO ORDERED.

Dated: April 2, 2018


UNITED STATES MAGISTRATE JUDGE