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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DEERPOINT GROUP, INC.,

Plaintiff,

v.

AGRIGENIX, LLC, et al.,

Defendants.

Case No. 1:18-cv-00536-LJO-BAM

ORDER DISCHARGING ORDER TO SHOW
CAUSE

(Doc. No. 62)

On July 17, 2019, the Court issued an order setting a Mandatory Scheduling Conference for August 13, 2019, at 10:00 AM in Courtroom 8 (BAM). (Doc. No. 52.) On August 7, 2019, the Court continued the Mandatory Scheduling Conference to August 16, 2019, at 10:00 AM at the request of the parties in order to accommodate the calendar of counsel for Defendants Agrigenix, LLC and Sean Mahoney (“Defendants”). (Doc. No. 58.) On August 16, 2019, counsel for Defendants failed to appear at the Mandatory Scheduling Conference. (Doc. No. 60.) Accordingly, on August 19, 2019, the Court issued an order directing counsel for Defendants to show cause why sanctions should not be imposed for the failure to appear. (Doc. No. 62.)

On August 21, 2019, Charles Manock, counsel for Defendants, filed a response to the Court’s order to show cause. (Doc. No. 63.) According to the declaration of Mr. Manock, the Mandatory Scheduling Conference was put on to his calendar, but he did not enter reminders in his iPhone calendar. (*Id.*) As a result, Mr. Manock did not receive a reminder nor realize that

1 the Mandatory Scheduling Conference was occurring until approximately 10:45 AM on the
2 morning of August 16, 2019. (*Id.*) Mr. Manock realized his error and called in, but the
3 conference had already concluded. (*Id.*) Mr. Manock apologized for the inadvertent oversight
4 and indicated that he has since set up procedures to avoid a similar error in the future. (*Id.*)

5 Having considered counsel' response, the Court's Order to Show Cause issued August
6 19, 2019, is HEREBY DISCHARGED and no sanctions will be imposed.

7
8 IT IS SO ORDERED.

9 Dated: August 22, 2019

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE