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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

METROPOLITAN LIFE INSURANCE
COMPANY,

Plaintiff,

v.

CONCEPCION FLORES MOLINA,

Defendant/Cross-Plaintiff,

v.

LUPE C. FLORES,

Defendant/Cross-Defendant.

Case No. 1:23-cv-01553-CDB

ORDER REQUIRING CROSS-
DEFENDANT LUPE C. FLORES TO
SHOW CAUSE IN WRITING WHY
SANCTIONS SHOULD NOT BE
IMPOSED FOR FAILURE TO APPEAR
AT STATUS CONFERENCE

(Doc. 49)

14-DAY DEADLINE

On September 5, 2024, the Court issued an order (Doc. 49) denying without prejudice both Cross-Plaintiff Molina’s motion for default judgment (Doc. 42) and Cross-Defendant Lupe Flores’ motion for appointment of guardian ad litem and appointment of counsel (Doc. 48). In its order, the Court set and ordered the parties to appear for a mandatory status conference on October 23, 2024, at 10:00 a.m, and provided the email address for the undersigned’s courtroom deputy for the parties to request and obtain Zoom teleconference connection details. *See* (Doc. 49). The Court served the order by mail on Lupe Flores on the day of its issuance. *Id.*

1 After the issuance of the order, on October 10, 2024, Lupe Flores filed a fifth¹ motion to
2 appoint guardian ad litem, also requesting appointment of counsel. (Doc. 50). In her motion,
3 Lupe Flores did not identify any conflict that would result in her inability to attend the Court's
4 mandatory status conference set for October 23, 2024.

5 The Court convened for the mandatory status conference on the scheduled date of October
6 23, 2024, at 10:00 a.m, via Zoom videoconference. The videoconference link had been supplied
7 to all parties in advance. Cross-Plaintiff Molina and her counsel, Eric Leroy, made an appearance.
8 However, Lupe Flores did not appear and neither did any representative or power of attorney on
9 her behalf. As such, the Court was unable to discuss the current posture of the case, the positions
10 of the parties, and any plans for further litigation of the matter.

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

16 In light of Cross-Defendant Lupe Flores’ failure to appear at the mandatory status
17 conference on October 23, 2024, IT IS HEREBY ORDERED, Cross-Defendant Lupe Flores shall
18 show cause in writing within 14 days of entry of this order why sanctions should not be imposed
19 for her failure to obey this Court’s orders. At a minimum, Cross-Defendant Lupe Flores’ written
20 response shall address her failure to appear at the conference and set forth any grounds for this
21 Court to find her neglect should be excused.

22 **Failure to comply with this order to show cause may result in the imposition of**
23 **sanctions.**

24 IT IS SO ORDERED.

25 Dated: October 23, 2024

26 
27 _____
28 UNITED STATES MAGISTRATE JUDGE

¹ The prior motions are Docs. 31, 39, 45, and 48.