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7 UNITED STATES DISTRICT COURT
8 FOR THE EASTERN DISTRICT OF CALIFORNIA

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10 TRAVELERS CASUALTY AND
11 SURETY COMPANY OF AMERICA,
a Connecticut corporation,

NO. CIV. S-07-2493 LKK/DAD

12 Plaintiff,

13 v.

O R D E R

14 SIDNEY B. DUNMORE, an
individual; SID DUNMORE
15 TRUST DATED FEBRUARY 28,
2003, a California trust;
16 SIDNEY B. DUNMORE, Trustee
for Sid Dunmore Trust Dated
17 February 28, 2003; DHI
DEVELOPMENT, a California
18 corporation,

19 Defendants.

20 _____/
21 Plaintiff in this case brings claims arising out of several
22 indemnity agreements with defendants. On July 14, 2010, plaintiff
23 filed its first amended complaint. On August 3, 2010, defendant
24 Sidney B. Dunmore filed an answer and counterclaim against
25 plaintiff. On August 24, 2010, plaintiff filed a motion to strike
26 and a motion for a more definite statement regarding Dunmore's


1 answer and counterclaim. This motion was noticed to be heard on
2 September 27, 2010. Pursuant to Local Rule 230(c), Dunmore's
3 opposition or statement of non-opposition was due on September 13,
4 2010. In violation of this rule, Dunmore has failed to respond to
5 the noticed motion.

6 Based on the above, the court ORDERS as follows:

- 7 1. Counsel for Dunmore is hereby ORDERED TO SHOW CAUSE in
8 writing why sanctions should not issue in accordance
9 with Local Rule 110, including a fine of \$150 and/or
10 dismissal of Dunmore's counterclaim. See also Fed. R.
11 Civ. P. 41(b), Link v. Wabash R.R., 370 U.S. 626, 633
12 (1962). Counsel shall file a response to this order to
13 show cause no later than September 24, 2010.
- 14 2. Hearing on plaintiff's motion to strike and for a more
15 definite statement (ECF No. 154) is CONTINUED to October
16 12, 2010 at 10:00 a.m.
- 17 3. Dunmore shall file and serve his opposition or statement
18 of non-opposition on or before September 24, 2010.
19 Plaintiff may file and serve a reply no later than
20 October 1, 2010.

21 IT IS SO ORDERED.

22 DATED: September 17, 2010.

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25 LAWRENCE K. KARLTON
26 SENIOR JUDGE
UNITED STATES DISTRICT COURT