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10 SHINGLE SPRINGS BAND OF MIWOK INDIANS

11 UNITED STATES DISTRICT COURT  
12 EASTERN DISTRICT OF CALIFORNIA

13 SHINGLE SPRINGS BAND OF MIWOK  
14 INDIANS,

15 Plaintiff,

16 v.

17 CESAR CABALLERO,

18 Defendant.

19 CASE NO. 2:08-CV-03133-JAM-DAD

**ORDER TO SHOW CAUSE WHY  
DEFENDANT SHOULD NOT BE HELD  
IN CONTEMPT FOR VIOLATING  
THE COURT’S PRELIMINARY  
INJUNCTION**

Date: June 15, 2011  
Time: 9:30 a.m.  
Courtroom: 6

Judge: Hon. John A. Mendez

20 Upon review and consideration of Plaintiff Shingle Springs Band of Miwok Indians’  
21 (“Tribe”) Application for an Order to Show Cause Why Defendant Should Not Be Held in  
22 Contempt for Violating the Court’s Preliminary Injunction (“Application”), the papers filed in  
23 support of the Tribe’s Application, including the declarations of Ian Barker and Yolanda Tayaba,  
24 the court file in the above-captioned case, and other good cause appearing therefor, it is hereby,

25 ORDERED that Cesar Caballero shall appear and show cause, if any there is, why he  
26 should not be held in contempt for his failure to comply with the terms of this Court’s preliminary  
27 injunction order (“Order”) issued on September 15, 2010, directing that “Mr. Caballero may not  
28 use, or represent to third parties, including the United States government, that he is associated with

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1 or a representative of, the ‘Shingle Springs Band of Miwok Indians,’ the ‘Shingle Springs  
2 Rancheria,’ the ‘Shingle Springs Miwok Tribe,’ the ‘Shingle Springs Miwok Indians,’ or any  
3 confusingly similar variation thereof” and that “Mr. Caballero also may not represent that he is  
4 associated with, or lives on, the Shingle Springs Rancheria, the sovereign territory and land base  
5 that is held in trust by the United States for the Tribe,”

6 ORDERED that a hearing on this order to show cause shall be held before this Court on  
7 **June 15, 2011 at 9:30 a.m. in Courtroom 6**, located at 501 “I” Street, Sacramento, California,  
8 95814; and it is further,

9 ORDERED that any responsive pleading to this order to show cause shall be filed and  
10 served on or before **June 1, 2011** [in consideration of Mr. Caballero’s criminal trial currently set  
11 before Magistrate Judge Edmund F. Brennan of this Court on May 17, 2011, and despite the  
12 seriousness of Mr. Caballero’s allegedly contemptuous conduct, the Tribe is amenable to  
13 postponing any responsive pleading by Mr. Caballero until May 24, 2011, or sometime thereafter,  
14 as is convenient for the Court] and any reply thereto shall be filed and served on or before **June 8,**  
15 **2011.**

16  
17 DATED: 5/16/2011

/s/ John A. Mendez  
The Honorable John A. Mendez  
United States District Judge

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