

IN THE UNITED STATES DISTRICT COURT  
OR THE EASTERN DISTRICT OF CALIFORNIA

PATRICIA L. COLLINS,

Plaintiff, Civ. No. S-09-1816 KJM EFB  
vs.

## ORDER

CHESAPEAKE COMMONS  
HOLDINGS, LLC, et al.,

## Defendants.

On November 27, 2012, the court ordered counsel for defendant to show cause on or before January 11, 2013 why defendant should not be sanctioned, including with default judgment, for failure to obey the court's order to file a joint status report. (ECF 54.) The court also ordered defendant to file a status report by January 11, 2013, as defendant did not participate in preparing the status report (ECF 52) filed by plaintiff. (*Id.*)

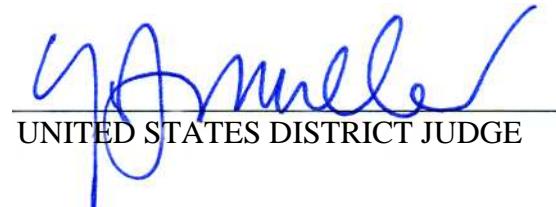
Defendant filed a response to the court's order on January 17, 2013, six days after the deadline imposed by the court. (ECF 55.) Defendant explains that the parties began mediation in December 2011 and that plaintiff has not responded to defendant's settlement offer made at that time. (*Id.*) Defendant stated it intends to file a motion for summary judgment before the end of January 2013 if it does not hear from plaintiff before then. (*Id.*)

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1           Defendant's response does not explain how plaintiff's lack of response to its  
2 settlement offer prevented defendant from participating in preparing a joint status report as  
3 ordered by the court. Moreover, defendant did not timely file his response to the court's order to  
4 show cause. Accordingly, counsel for defendant, J. Chauncey Hayes, is sanctioned in the  
5 amount of \$500, payable to the Clerk of the Court within two weeks of this order.

6           **IT IS SO ORDERED**

7           DATED: January 28, 2013.

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10           UNITED STATES DISTRICT JUDGE

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