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

CONNECTICUT GENERAL LIFE )  
INSURANCE COMPANY, )  
 )  
Plaintiff-in- )  
Interpleader, )  
 )  
v. )  
 )  
BRIAN R. PORTER; CHARLES W. )  
NICHOLS, as Co-Trustee of the )  
LeANN P. Porter Revokable )  
Living Trust; BETTY JANE )  
NICHOLS, as Co-Trustee of the )  
LeAnn P. Porter Revokable )  
Living Trust, )  
 )  
Defendants-in- )  
Interpleader. )  
 )

02:09-cv-02058-GEB-DAD

ORDER TO SHOW CAUSE  
AND CONTINUING STATUS  
(PRETRIAL SCHEDULING)  
CONFERENCE

The July 27, 2009 Order Setting Status (Pretrial Scheduling) Conference scheduled a status conference in this case for October 19, 2009, and required the parties to file a joint status report no later than fourteen days prior to the scheduling conference. The Order further required that a status report be filed regardless of whether a joint report could be procured. No status report was filed as ordered.

1 Plaintiff is Ordered to Show Cause ("OSC") in a writing  
2 to be filed no later than 4:00 p.m. on November 2, 2009, why  
3 sanctions should not be imposed against him and/or his counsel  
4 under Rule 16(f) of the Federal Rules of Civil Procedure for  
5 failure to file a timely status report. The written response shall  
6 also state whether Plaintiff or his counsel is at fault, and  
7 whether a hearing is requested on the OSC.<sup>1</sup> If a hearing is  
8 requested, it will be held on November 16, 2009, at 9:00 a.m., just  
9 prior to the status conference, which is rescheduled to that date.  
10 A status report shall be filed no later than fourteen days prior to  
11 the status conference.

12 IT IS SO ORDERED.

13 Dated: October 8, 2009

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GARLAND E. BURRELL, JR.  
United States District Judge

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26 <sup>1</sup> "If the fault lies with the attorney, that is where the impact  
27 of sanction should be lodged. If the fault lies with the clients, that  
28 is where the impact of the sanction should be lodged." Matter of  
Sanction of Baker, 744 F.2d 1438, 1442 (10th Cir. 1984), cert. denied,  
471 U.S. 1014 (1985). Sometimes the faults of attorneys, and their  
consequences, are visited upon clients. In re Hill, 775 F.2d 1385, 1387  
(9th Cir. 1985).