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

EDITH STONE,)
)
Plaintiff,)
)
v.)
)
MATTHEW CATE, Secretary of the)
California Department of)
Corrections & Rehabilitation;)
GLENDA PRESSLY, Acting)
Superintendent of Education)
N.A. Chaderjian Youth)
Correctional Facility; NANCY)
HANLEY, Principal, N.A. Youth)
Correctional Facility High)
School; TAMMIE SCHEID, San)
Joaquin County Office of)
Education; THE CALIFORNIA)
DEPARTMENT OF CORRECTIONS &)
REHABILITATION; and DOES 1)
thru 10, inclusive,)
)
Defendants.)
)

02:09-cv-02139-GEB-KJM

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

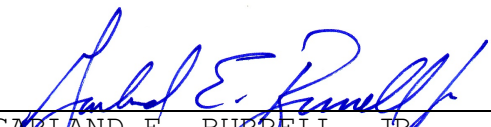
The August 3, 2009 Order Setting Status (Pretrial
Scheduling) Conference scheduled a status conference in this case
for November 2, 2009, and required the parties to file a joint
status report no later than fourteen days prior to the scheduling
conference. The Order further required that a status report be

1 filed regardless of whether a joint report could be procured. No
2 status report was filed as ordered.

3 Plaintiff is Ordered to Show Cause ("OSC") in a writing
4 to be filed no later than 4:00 p.m. on November 16, 2009 why
5 sanctions should not be imposed against her and/or her counsel
6 under Rule 16(f) of the Federal Rules of Civil Procedure for
7 failure to file a timely status report. The written response shall
8 also state whether Plaintiff or her counsel is at fault, and
9 whether a hearing is requested on the OSC.¹ If a hearing is
10 requested, it will be held on December 14, 2009, at 9:00 a.m., just
11 prior to the status conference, which is rescheduled to that date.
12 A status report shall be filed no later than fourteen days prior to
13 the status conference.

14 IT IS SO ORDERED.

15 Dated: October 23, 2009

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18 _____
GARLAND E. BURRELL, JR.
United States District Judge

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25 _____
26 ¹ "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).