

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JOHN KENT,

Plaintiff,

No. 2:09-cv-2905 KJM AC

v.

ORDER

CALIFORNIA DEPARTMENT OF  
CONSUMER AFFAIRS, et al.,

Defendants.

\_\_\_\_\_ /  
In a pretrial scheduling order filed February 7, 2012, plaintiff was directed to participate in the preparation of a joint pretrial statement, to be filed two weeks before the final pretrial conference, currently set for July 11, 2013. Defendants timely filed a pretrial statement, noting that plaintiff had not participated in its preparation.

In the scheduling order, the magistrate judge warned plaintiff that failure to comply with the terms of the order might result in sanctions, including dismissal. ECF No. 62. As plaintiff has failed to participate in the preparation of the pretrial statement, he will be directed to show cause why this case should not be dismissed for failure to prosecute and to abide by the pretrial scheduling order.

////

////

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

IT IS THEREFORE ORDERED that:

1. The final pretrial conference, set for July 11, 2013 at 2:30 is vacated;

2. The trial, set for August 19, 2013 at 1:30 p.m. is vacated;

3. Within fourteen days of the date of this order, plaintiff is directed to show cause why this action should not be dismissed for failure to prosecute and for failure to comply with the court's order; and

4. The court requests the Attorney General's office to notify plaintiff by telephone that the date for the final pretrial conference has been vacated.

DATED: July 8, 2013.

  
UNITED STATES DISTRICT JUDGE