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

LORRAINE BROWN, an)
individual,)
)
Plaintiff,)
)
v.)
)
GMAC MORTGAGE, LLC, a)
Delaware limited liability)
company, as successor in)
interest to GMAC Mortgage)
Corporation; GREENPOINT)
MORTGAGE FUNDING, INC., a New)
York corporation; ETS)
SERVICES, LLC, a Delaware)
limited liability company;)
DOES 1 to 20,)
)
Defendants.)
_____)

02:09-cv-03293-GEB-KJN
ORDER TO SHOW CAUSE
AND CONTINUING STATUS
(PRETRIAL SCHEDULING)
CONFERENCE


The November 25, 2009, Order Setting Status (Pretrial Scheduling) Conference scheduled a status conference in this case for March 29, 2010, 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 joint status report was filed as ordered. Only "Defendants GMAC Mortgage, LLC f/k/a GMAC Mortgage Corporation ('GMAC') and Executive Trustee Services, LLC dba ETS Services, LLC ('ETS')"

1 submitted a status report. (See Docket No. 15, Status Report 1:21-
2 23.) GMAC and ETS stated in their status report that they do not
3 have a valid telephone number for Plaintiff's counsel and that they
4 sent Plaintiff's counsel a copy of the status report by e-mail on
5 March 9, 2010, and requested input by March 12, 2010, but received
6 no response. (Id. 1:23-28.)

7 Plaintiff is Ordered to Show Cause ("OSC") in a writing
8 to be filed no later than 4:00 p.m. on April 2, 2010, why sanctions
9 should not be imposed against her and/or her counsel under Rule
10 16(f) of the Federal Rules of Civil Procedure for failure to file a
11 timely status report. The written response shall also state
12 whether Plaintiff or her counsel is at fault, and whether a hearing
13 is requested on the OSC. If a hearing is requested, it will be
14 held on April 26, 2010, at 9:00 a.m., just prior to the status
15 conference, which is rescheduled to that date and time. Further,
16 Plaintiff shall explain in the response to the OSC why this action
17 should not be dismissed for failure of prosecution since it appears
18 that Plaintiff is no longer interested in prosecuting this action.
19 Lastly, a joint status report shall be filed no later than fourteen
20 (14) days prior to the status conference.

21 IT IS SO ORDERED.

22 Dated: March 25, 2010

23
24 
25 _____
GARLAND E. BURRELL, JR.
United States District Judge