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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

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SERGIO RAMIREZ,

Plaintiff,

v.

BANK OF AMERICA, et al.,

Defendants.

NO. CIV.S-09-3364 FCD KJN

ORDER AND ORDER TO SHOW CAUSE  
RE SANCTIONS

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1. While the court has issued a Minute Order denying defendants' pending motions to dismiss as moot based on plaintiff's filing of a First Amended Complaint on March 2, 2010 (Docket #13), said amended complaint was untimely filed. Fed. R. Civ. P. 15(a)(1)(B). Nonetheless, the court has accepted the filing and directs defendants to respond thereto as set forth in the Minute Order.

2. However, because of the untimely filing, the court issues an Order to Show Cause to plaintiff's counsel why she should not be sanctioned in the amount of \$150.00 for the failure

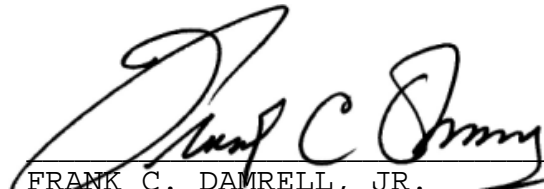
1 to file a timely amended pleading as directed by the recently  
2 amended Federal Rule of Civil Procedure 15(a)(1)(B).

3 3. Plaintiff's counsel shall file her response to the  
4 Order to Show Cause on or before March 26, 2010.

5 4. A hearing on the order to show cause is set for **April,**  
6 **9, 2010 at 10:00 a.m.** in Courtroom #2.

7 IT IS SO ORDERED.

8 DATED: March 3, 2010

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12 FRANK C. DAMRELL, JR.  
13 UNITED STATES DISTRICT JUDGE  
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