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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

CARINA LOWRIE and  
CLIFFORD LOWRIE, JR.,

NO. CIV. S-10-468 LKK/GGH

Plaintiffs,

v.

O R D E R

ALLIANCE BANCORP, a California corporation; MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., a California corporation; PARADISE MORTGAGE CORPORATION, a California corporation; JP MORGAN CHASE BANK, a national financial institution; CALIFORNIA RECONVEYANCE COMPANY, a California corporation; and DOES 1 to 100, inclusive,

Defendants.

\_\_\_\_\_ /

On May 17, 2010, the court issued an order to show cause to plaintiff and defendants Paradise Mortgage Corporation ("PMC") for their failure to file status reports. (Dkt. No. 17).

In response to the order to show cause, counsel for plaintiff paid the \$250 sanction. Counsel for defendants PMC filed a response to the order to show cause.

Counsel for PMC stated that he failed to timely file a status

1 report because plaintiff never served him with the minute order  
2 amending the status conference date. Counsel for PMC filed an  
3 answer to plaintiff's complaint on March 26, 2010. Counsel admits  
4 that he was served with the initial order setting scheduling  
5 conference and the requirement to file status reports. The  
6 conference was initially set for April 26, 2010. Counsel contends  
7 that he was not served with the March 9, 2010 minute order re-  
8 setting the scheduling conference to May 17, 2010. Apparently,  
9 counsel did not review the docket after appearing in this case.

10 Counsel for PMC has not shown good cause for his failure to  
11 file a status report. Counsel did not file a status report prior  
12 to the initially scheduled conference date of April 26, 2010. Nor  
13 did counsel appear before this court on April 26, 2010 under the  
14 belief that the scheduling conference was set for this day.

15 For the foregoing reasons, the court issues as follows:

16 (1) Counsel for plaintiffs shall file an affidavit, which  
17 states that the sanction was paid personally by counsel,  
18 out of personal funds, and was not and will not be  
19 billed, directly or indirectly, to the client or in any  
20 way made the responsibility of the client as attorneys'  
21 fees or costs.


22 (2) Counsel for defendant PMC is SANCTIONED in the amount of  
23 two hundred and fifty (\$250.00) dollars. This sum shall  
24 be paid to the Clerk of the Court no later than thirty  
25 (30) days from the date of this order. Counsel shall  
26 file an affidavit accompanying the payment of this

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sanction which states that it is paid personally by  
counsel, out of personal funds, and is not and will not  
be billed, directly or indirectly, to the client or in  
any way made the responsibility of the client as  
attorneys' fees or costs.

IT IS SO ORDERED.

DATED: June 21, 2010.

  
LAWRENCE K. KARLTON  
SENIOR JUDGE  
UNITED STATES DISTRICT COURT