

1 Not only did Plaintiff not file an opposition or statement of
2 non-opposition to Verdeo's Motion to Dismiss for Lack of
3 Prosecution, Plaintiff's counsel Paul Bartleson's previously failed
4 to oppose Defendant MortgageIt's Motion to Dismiss. On November
5 18, 2010 this Court ordered Mr. Bartleson to pay sanctions of \$250
6 to the Clerk of the Court or submit a statement of good cause
7 explaining his failure to comply with Local Rule 230(c) which
8 requires a party responding to a motion to file either an
9 opposition to the motion or a statement of non-opposition, no less
10 than fourteen (14) days preceding the noticed hearing date (Doc.
11 #13). Mr. Bartleson did not respond to the Court's Order. On
12 January 27, 2011, this Court ordered Mr. Bartleson to appear for a
13 hearing to show cause why he failed to comply with the Court's
14 previous Order (Doc. #15). Mr. Bartleson responded that he was
15 having problems managing his practice (Doc. #15). Since filing
16 that declaration, Mr. Bartleson has not taken any further action on
17 this case.

18 Local Rule 110 authorizes the Court to impose sanctions for
19 "failure of counsel or of a party to comply with these Rules."
20 Therefore, because Mr. Bartleson failed to comply with Local Rule
21 239(c) by not responding to Verdeo's Motion to Dismiss for Lack of
22 Prosecution, the Court will sanction Plaintiff's counsel, Paul R.
23 Bartleson, \$500.00 unless he shows good cause for his failure to
24 comply with the Local Rules.

25
26 ORDER

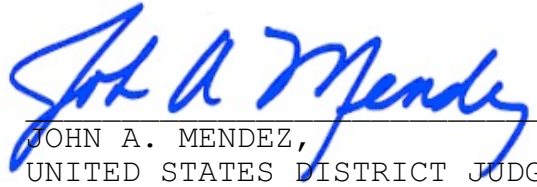
27 After carefully considering the papers submitted in this
28 matter, it is hereby ordered that Plaintiff's counsel, Paul R.

1 Bartleson, shall show cause in writing within TEN (10) days of the
2 date of this order why the court should not dismiss this action for
3 lack of prosecution. If Mr. Bartleson does not respond within TEN
4 (10) days, the Court hereby dismisses this entire matter, with
5 prejudice, for failure to prosecute. The Clerk shall close the
6 case.

7 It is further ordered that within TEN (10) days of this Order,
8 Paul R. Bartleson shall either (1) pay sanctions of \$500.00 to the
9 Clerk of the Court, or (2) submit a statement of good cause
10 explaining his second failure to comply with Local Rule 230(c).

11 IT IS SO ORDERED.

12 Dated: November 10, 2011



JOHN A. MENDEZ,
UNITED STATES DISTRICT JUDGE