

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

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DENNLy R. BECKER, THE
BECKER TRUST DATED
MARCH 25, 1991,

NO. CIV. S-10-2799 LKK/KJN

Plaintiffs,

v.

O R D E R

WELLS FARGO BANK, N.A.,
WACHOVIA MORTGAGE
CORPORATION; DOES 1-20,

Defendants.

_____ /

A hearing on Plaintiff's Motion to Reconsider the court's August 1, 2011 order is currently scheduled for October 11, 2011. Defendants' opposition or statement of non-opposition was due on September 27, 2011, per Local Rule 230(c). Defendants have not filed an opposition or statement of non-opposition. The court notes that counsel for defendants has previously been sanctioned in this case. Counsel was sanctioned in the amount of \$150 for failing to timely file an opposition. See ECF No. 25. Counsel was sanctioned in the amount of \$350 for failing to timely respond to an order to

1 show cause. Counsel for defendant was previously warned of
2 sanctions in the amount of \$1000 and/or an order of judgment for
3 plaintiff for failing to respond to the prior order to show cause.
4 The court found that counsel did not show good cause, but did
5 demonstrate the absence of bad faith, and the sanctions were
6 reduced to \$350. See ECF No. 33.

7 Accordingly, the court ORDERS as follows:


8 [1] Counsel for defendants is ORDERED to SHOW CAUSE in
9 writing why sanctions should not issue in accordance
10 with Local Rule 110, including a fine of \$1000 and/or an
11 order of judgment for plaintiff. Counsel SHALL file a
12 response to this order to show cause within seven (7)
13 days of the issuance of this order.

14 [2] The hearing on plaintiff's motion for
15 reconsideration, ECF No. 59, currently scheduled for
16 October 11, 2011 is CONTINUED to October 24, 2011.

17 [3] Defendant SHALL file an opposition or statement of
18 non-opposition to the motion for reconsideration no
19 later than October 7, 2011. Plaintiff MAY file a reply
20 no later than October 17, 2011.

21 IT IS SO ORDERED.

22 DATED: October 3, 2011.

23
24 
25 LAWRENCE K. KARLTON
26 SENIOR JUDGE
UNITED STATES DISTRICT COURT