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

10 CHRISTOPHER LINDSAY,

11 Plaintiff,

No. 2:10-cv-2842 LKK KJN PS

12 v.

13 YOLANDA FRYSON et al.,

14 Defendants.

ORDER

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16 On October 25, 2012, this case was before the undersigned for a status (pretrial
17 scheduling) conference.¹ Although plaintiff participated in the drafting and filing of a joint status
18 report for the status conference, plaintiff failed to appear at the status conference. Consequently,
19 on October 29, 2012, the court issued an order requiring plaintiff to show cause in writing why
20 sanctions should not be imposed for his failure to appear at the status conference. (Dkt. No. 52.)

21 On November 15, 2012, plaintiff filed a response to the order to show cause.
22 (Dkt. No. 53.) In that response, plaintiff apologized for his failure to appear, which he indicated
23 was in large part due to a substantial increase in his workload and work-related travel, which in
24 turn caused him to overlook the court date. Plaintiff asserts that he has now taken steps to better

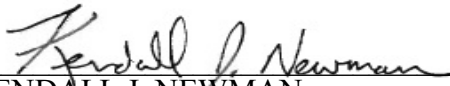
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26 ¹ This action proceeds before the undersigned pursuant to E.D. Cal. L.R. 302(c)(21) and 28
U.S.C. § 636(b)(1).

1 organize his schedule, appointments, and deadlines. (Id.)

2 In light of this showing, the court finds it appropriate to discharge the order to
3 show cause. However, plaintiff is cautioned that any future failure to attend court hearings or
4 conferences, or failure to otherwise comply with the Local Rules, the Federal Rules of Civil
5 Procedure, and the court's orders, will result in the imposition of appropriate sanctions, including
6 a potential recommendation that the action be dismissed with prejudice under Rule 41(b) of the
7 Federal Rules of Civil Procedure for failure to prosecute the case and/or failure to comply with
8 procedural rules and court orders.

9 Accordingly, IT IS HEREBY ORDERED that the order to show cause directed to
10 plaintiff (dkt. no. 52) is DISCHARGED.

11 DATED: November 19, 2012

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14 KENDALL J. NEWMAN
15 UNITED STATES MAGISTRATE JUDGE
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