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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ELLISON FRAMING, INC.,

NO. CIV. S-11-0122 LKK/DAD

Plaintiff,

v.

O R D E R

ZURICH AMERICAN INSURANCE
COMPANY,

Defendant.

_____/

Defendant Zurich American Insurance Company in the above captioned case filed a motion to stay action and compel arbitration, which is set to be heard on March 14, 2011. Pursuant to Local Rule 230(c), plaintiff Ellison Framing, Inc.'s opposition or statement of non-opposition was due on February 28, 2011. Plaintiff has not filed an opposition or a statement of non-opposition.

Based on the above, the court ORDERS as follows:

1. Counsel for plaintiff is hereby ORDERED TO SHOW CAUSE in writing why sanctions should not issue in accordance

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with Local Rule 110, including a fine of \$150 and/or dismissal of this case, for their failure to file an opposition or statement of non-opposition to the motions. See also Fed. R. Civ. P. 41(b), Link v. Wabash R.R., 370 U.S. 626, 633 (1962). Counsel shall file a response to this order to show cause no later than March 14, 2011.

2. Hearing on defendant's motion to stay and to compel arbitration (Doc. No. 5) is CONTINUED to March 28, 2011 at 10:00 a.m.

3. Plaintiff shall file and serve his opposition or statement of non-opposition on or before March 14, 2011. Defendant may file and serve a reply no later than March 21, 2011.

IT IS SO ORDERED.

DATED: March 3, 2011.


LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT