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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

RON J. ANDERSON, et al.,

No. 2:11-CV-1795-CMK

Plaintiffs,

vs.

ORDER

GREG ECHOLS, et al.,

Defendants.

_____ /

Plaintiffs, who are proceeding pro se, bring this civil action for, among other things, determination of ownership interests in the “Stringer Mine.” Pursuant to the written consent of all parties, this case is before the undersigned as the presiding judge for all purposes, including entry of final judgment. See 28 U.S.C. § 636(c). Pending before the court is defendants’ motion for recusal (Doc. 60). Also before the court is defendant Logan’s response to the court’s April 11, 2013, order to show cause (Doc. 61).

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1 Turning first to defendants' motion for recusal, the court notes that the motion
2 was not served on all parties as required by Eastern District of California Local Rule 135(d).
3 Specifically, there is no evidence, in the form of a proof of service for example, that defendants
4 served their motion on plaintiffs. The motion will be stricken from the docket and no action will
5 be taken on defendants' request until and unless the motion is properly filed and served.

6 Turning to defendant Logan's response to the court's April 11, 2013, order to
7 show cause why sanctions should not be imposed under Federal Rule of Civil Procedure 11, the
8 court first notes that only defendant Logan has responded even though both defendants Logan
9 and Echols were required to respond separately. The court also notes that Mr. Logan's signature
10 is different than those appearing on other documents purportedly signed by him and filed with
11 the court. For example, the signatures for Mr. Logan on the April 29, 2013, response to the order
12 to show cause is distinctly different from his signature as contained in his August 2, 2011,
13 response to the complaint in this action. The signature on the April 29, 2013, filing is also
14 different than the signature on defendants' motion to dismiss, filed on April 9, 2012.

15 Defendants shall show further cause why sanctions should not be imposed under
16 Rule 11 based on the apparent inconsistencies in signatures described above. In particular, each
17 defendant shall file a separate signed response explaining why Mr. Logan's signatures on the
18 various documents described in this order appear to be different. As part of their response, each
19 defendant shall separately answer the following question: Did Mr. Echols sign one of more of the
20 documents described herein on behalf of Mr. Logan?

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Accordingly, IT IS HEREBY ORDERED that:

1. Defendants' motion for recusal (Doc. 60) is stricken; and
2. Defendants shall each file separate written responses to this order to show cause within 15 days of the date hereof.

DATED: May 15, 2013



CRAIG M. KELLISON
UNITED STATES MAGISTRATE JUDGE