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

ROBERT V. BUSTOS,

Plaintiff,

No. 2:11-cv-01953 KJN

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

ORDER AFTER SHOW CAUSE HEARING

_____ /
On February 23, 2012, the court held a show cause hearing regarding an Order to Show Cause (“OSC”) entered on January 26, 2012, and timely responded to by attorney Bess M. Brewer on February 9, 2012 (Dkt. Nos. 17-19). The court had ordered Ms. Brewer, an attorney who regularly represents plaintiffs appealing the denial of applications for Social Security benefits before the undersigned, to “show good cause . . . why she should not be sanctioned in an amount of \$2,500, for her ongoing failures to timely prosecute her clients’ cases and follow the court’s local rules and orders.” (OSC, Jan. 26, 2012, at 3.)

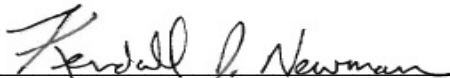
Ms. Brewer appeared at the hearing and was contrite about her repeated and ongoing failures, and conceded that monetary sanctions were appropriate but suggested a lower amount of such sanctions. The reasons supporting the imposition of sanctions on Ms. Brewer

1 are set forth in detail in the court's OSC, and nothing stated at the hearing persuades the court
2 that the imposition of monetary sanctions would be inappropriate. However, in light of Ms.
3 Brewer's contrition and assurances to the court that she is taking steps to avoid similar failures in
4 the future, the undersigned lowers the amount of sanctions to \$2,000.

5 Accordingly, IT IS HEREBY ORDERED that attorney Bess M. Brewer is
6 sanctioned in amount of \$2,000, payable to the Clerk of Court within 45 days of the date of this
7 order.

8 IT IS SO ORDERED.

9 DATED: February 23, 2012

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12 KENDALL J. NEWMAN
13 UNITED STATES MAGISTRATE JUDGE
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