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

MARIE PARLANTE,

Plaintiff,

No. 2:11-cv-2696 MCE GGH PS

vs.

SAVANNA CAZARES, et al.,

Defendants.

ORDER

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This action, originally filed on October 13, 2011, was referred to the undersigned by E.D. Cal. L.R. 302(c)(21), pursuant to 28 U.S.C. § 636(b)(1). Plaintiff has paid the filing fee and is proceeding pro se with her first amended complaint.

On May 9, 2012, defendant Ravandi filed a motion to dismiss the first amended complaint, noticed for hearing on June 7, 2012. (Dkt. No. 27.) On May 11, 2012, defendants Cazares and Wright also filed a motion to dismiss the first amended complaint, noticed for hearing on June 14, 2012. (Dkt. No. 28.) Pursuant to E.D. Cal. L.R. 230(c), plaintiff was required to file an opposition or a statement of non-opposition to the motions not less than fourteen (14) days preceding the hearing date, i.e. by May 24, 2012 and May 31, 2012 respectively. Plaintiff failed to file oppositions to these motions.

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1           Although the court liberally construes the pleadings of pro se litigants, they are  
2 required to adhere to the rules of court. Failure to obey local rules may not only result in  
3 dismissal of the action, but “no party will be entitled to be heard in opposition to a motion at oral  
4 arguments if opposition has not been timely filed by that party.” E. D. Cal. L.R. 230(c). More  
5 broadly, failure to comply with the Local Rules “may be grounds for imposition . . . of any and  
6 all sanctions authorized by statute or Rule or within the inherent power of the Court.” E.D. Cal.  
7 L.R. 110; see also E.D. Cal. L.R. 183 (requiring compliance with the Local and Federal Rules by  
8 pro se litigants).

9           Having reviewed the record, the court has determined that oral argument would  
10 not be of material assistance in determining the pending motions. Therefore, the court will not  
11 entertain oral argument, and will determine the motions on the record, including the briefing in  
12 support of the pending motions. See E.D. Cal. L.R. 230(g).

13           Finally, the court notes that a status conference in this matter is currently set for  
14 June 28, 2012. On the court’s own motion, to allow for resolution of the pending motions to  
15 dismiss prior to any status conference, the June 28, 2012 status conference will be vacated and  
16 re-set for August 16, 2012 at 10:00 a.m. in Courtroom No. 9 before the undersigned. The parties  
17 shall submit a joint status report no later than seven (7) days prior to the status conference, i.e. on  
18 August 9, 2012. The status report shall indicate whether the parties consent to referral to the  
19 court’s Voluntary Dispute Resolution Program (“VDRP”). Discovery will remain stayed until  
20 the status conference has been conducted.

21           Accordingly, for the reasons outlined above, IT IS HEREBY ORDERED that:

22           1. The hearings on defendant Ravandi’s motion to dismiss (dkt. no. 27) and  
23 defendants Cazares and Wright’s motion to dismiss (dkt. no. 28) are VACATED. These motions  
24 are SUBMITTED on the record without oral argument.

25           2. The June 28, 2012 status conference is VACATED and RE-SET for August  
26 16, 2012 at 10:00 a.m. in Courtroom No. 9 before the undersigned. The parties shall submit a

1 joint status report no later than seven (7) days prior to the status conference, i.e. on August 9,  
2 2012. The status report shall indicate whether the parties consent to referral to the court's  
3 Voluntary Dispute Resolution Program ("VDRP").

4 3. Discovery shall remain stayed until the status conference has been conducted.

5 DATED: June 1, 2012

6 /s/ Gregory G. Hollows  
7 UNITED STATES MAGISTRATE JUDGE

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