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

E CLAMPUS VITUS,	)	
	)	2:12-cv-01381-GEB-GGH
Plaintiff,	)	
	)	
v.	)	<u>ORDER DISCHARGING ORDER TO</u>
	)	<u>SHOW CAUSE; ORDER CONTINUING</u>
	)	<u>STATUS (PRETRIAL SCHEDULING)</u>
DAVID L. STEINER, THOMAS PEAK,	)	<u>CONFERENCE</u>
JOHN MOORE, KARL DODGE, JOSEPH	)	
ZUMWALT CHAPTER 169 E CLAMPUS	)	
VITUS, and DOES 1 through 50,	)	
	)	
Defendants.	)	
_____	)	

Plaintiff was Ordered to Show Cause ("OSC") in a writing to be filed no later than February 11, 2013, why it and/or its counsel should not be sanctioned six hundred dollars (\$600.00) for twice failing to participate in filing a timely joint status report and failing to respond to the January 23, 2013 OSC. (ECF No. 23.) Plaintiff's former counsel filed a Declaration in response to the OSC, in which he avers, in part, as follows:

4. The failure to file and consult is completely my fault. As a result of recent medical and other issues of both myself and my staff, I came to realize that I was not going to be able to continue with this case and notified counsel for the Plaintiff on the 23rd that I was going to be withdrawing.

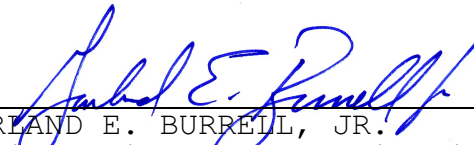
5. I advised the client and new counsel has been retained.

(Decl. of Matthew V. Brady ¶¶ 4-5, ECF No. 24.)

1           In light of these representations, a sanction will not be  
2 imposed. Therefore, Mr. Brady's request for a hearing is unnecessary,  
3 and no hearing is scheduled.

4           Further, the Joint Status Report filed February 19, 2013,  
5 reveals this case is not ready to be scheduled. Therefore, the Status  
6 (Pretrial Scheduling) Conference scheduled for hearing on March 4, 2013,  
7 is continued to May 13, 2013, at 9:00 a.m. A further joint status report  
8 shall be filed no later than fourteen (14) days prior to the Status  
9 Conference in which the parties shall address all pertinent subjects set  
10 forth in Local Rule 240; the parties may not simply refer the Court to  
11 a previously filed status report.

12 Dated: February 28, 2013

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16 GARLAND E. BURRELL, JR.  
17 Senior United States District Judge  
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