

1
2
3
4
5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE EASTERN DISTRICT OF CALIFORNIA
7

8 NEW SENSATIONS, INC., a)
California corporation,) 2:12-cv-01885-GEB-EFB
9 Plaintiff,)
10 v.) ORDER TO SHOW CAUSE AND
DOES 1-306, inclusive,) CONTINUING STATUS (PRETRIAL
11) SCHEDULING) CONFERENCE
12 Defendants.)
13 _____)

14 The October 22, 2012 Minute Order rescheduled the Setting
15 Status (Pretrial Scheduling) Conference to February 11, 2013, and
16 required the parties to file a joint status report no later than
17 fourteen (14) days prior to the scheduling conference. (ECF No. 9.) No
18 status report was filed as ordered.

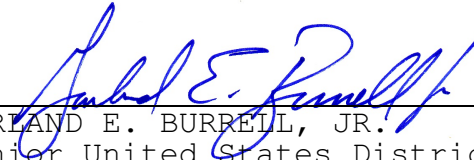
19 Therefore, Plaintiff is Ordered to Show Cause ("OSC") in a
20 writing to be filed no later than February 11, 2013, why sanctions
21 should not be imposed against it and/or its counsel under Rule 16(f) of
22 the Federal Rules of Civil Procedure for failure to file a timely status
23 report. The written response shall also state whether Plaintiff or its
24 counsel is at fault, and whether a hearing is requested on the OSC.¹ If
25

26 _____
27 ¹ "If the fault lies with the attorney, that is where the impact
28 of sanction should be lodged. If the fault lies with the clients, that
is where the impact of the sanction should be lodged." Matter of
Sanction of Baker, 744 F.2d 1438, 1442 (10th Cir. 1984), cert. denied,
471 U.S. 1014 (1985). Sometimes the faults of attorneys, and their
(continued...)

1 a hearing is requested, it will be held on March 4, 2013, at 9:00 a.m.,
2 just prior to the status conference, which is rescheduled to that date
3 and time. A status report shall be filed no later than fourteen (14)
4 days prior to the status conference.

5 IT IS SO ORDERED.

6 Dated: February 7, 2013

7
8 
9 _____
GARLAND E. BURRELL, JR.
Senior United States District Judge

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27 _____
28 ¹(...continued)
consequences, are visited upon clients. In re Hill, 775 F.2d 1385, 1387
(9th Cir. 1985).