UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

KOSAL VONG, an individual,

Plaintiff, NO. CIV. S-12-2860 LKK/DAD

v.

O R D E R

BANK OF AMERICA, N.A., (for itself and as the successor to COUNTRYWIDE HOME LOANS, INC., d/b/a America's Wholesale Lender, Inc., and as successor to BAC Home Loans Servicing, LP); and DOES 1 through 100, inclusive,

Defendants.
_____/

On May 13, 2013, defendant's motion to dismiss came on for hearing on the court's regular Law and Motion Calendar. Plaintiff's counsel, Vicki St. John, without any notice to the court, failed to appear at the hearing. Defendant's counsel appeared for the hearing, apparently never having been notified that plaintiff's counsel would not appear.

Accordingly, plaintiff's counsel is **ORDERED** to show cause why she should not be sanctioned $300 for her failure to appear, and

why she should not be required to reimburse defendant for the cost of its attorney's appearance at the hearing. See E.D. Cal. R. 230(i) (sanctions authorized for failure to appear at hearing on noticed motion).

The court notes that this is the second OSC to issue against plaintiff's counsel relating to this dismissal motion. The first OSC was discharged based upon the detailed representations of plaintiff's counsel that she was "distracted by family emergencies."

The motion to dismiss (ECF No. 8), is **SUBMITTED** on the papers.

IT IS SO ORDERED.

DATED: May 13, 2013.

LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT