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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

DENNIS BICEK; individually, and on behalf of other members of the general public similarly situated, and on behalf of aggrieved employees pursuant to the Private Attorneys General Act (“PAGA”), et al.,

Plaintiffs,

v.

C&S WHOLESALE GROCERS, INC., a Vermont corporation; TRACY LOGISTICS, LLC, an unknown business entity and DOES 1 through 100, inclusive,

Defendants.

No. 2:13-cv-00411-MCE-KJN

**MEMORANDUM AND ORDER**

On August 4, 2016, a Notice of Settlement was filed as to Plaintiff Danny Payne, and the Court ordered dispositional documents followed not later than September 7, 2016. ECF Nos. 103-04. Instead of submitting dispositional documents, however, Defendants filed a status report describing the many steps they had taken to attempt to comply with the Court’s order and Plaintiff’s counsel’s complete failure to cooperate in that effort. ECF No. 108. As a result, Defendants seek terminating sanctions, which the Court is inclined to impose.

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Accordingly, not later than ten (10) days following the date this order is electronically filed, Plaintiff's counsel is ordered to show cause in writing why this case should not be dismissed with prejudice for failure to comply with this Court's orders and why monetary sanctions should not be imposed on counsel. Failure to timely respond to this Order will result in the imposition of such sanctions upon no further notice to the parties.

IT IS SO ORDERED.

Dated: September 21, 2016

  
MORRISON C. ENGLAND, JR.  
UNITED STATES DISTRICT JUDGE