



1 required deadline will result in the imposition of increased monetary sanctions and/or in a  
2 recommendation that the action be dismissed pursuant to Federal Rule of Civil Procedure 41(b).”  
3 (Id.) Although the applicable deadline has now passed, no response to the order to show cause or  
4 any declaration regarding service of process was filed.


5 The court has considered whether the case should presently be dismissed pursuant to  
6 Federal Rule of Civil Procedure 41(b). However, in an attempt to first pursue lesser sanctions,  
7 the court instead imposes monetary sanctions of \$600 to be paid by plaintiff’s counsel personally.  
8 Plaintiff’s counsel shall not attempt to collect such sanctions from plaintiff directly or indirectly.  
9 If plaintiff’s counsel fails to fully pay the sanctions and/or fails to properly complete service of  
10 process by the required deadline, the court will recommend dismissal of the action pursuant to  
11 Federal Rule of Civil Procedure 41(b).

12 Accordingly, IT IS HEREBY ORDERED that:

- 13 1. Within fourteen (14) days of this order, plaintiff’s counsel, James Joseph Lynch, Jr.,  
14 shall personally pay the Clerk of Court \$600 in monetary sanctions for his failure to  
15 comply with procedural rules and this court’s orders.
- 16 2. Within fourteen (14) days of this order, plaintiff’s counsel shall also complete service  
17 of process in accordance with the Federal Rules of Civil Procedure and this court’s  
18 July 24, 2013 order, and file a proof of service to that effect.
- 19 3. Failure to pay the monetary sanctions in full and/or to properly complete service of  
20 process by the required deadline will result in a recommendation that the action be  
21 dismissed pursuant to Federal Rule of Civil Procedure 41(b).
- 22 4. Plaintiff’s counsel shall forthwith provide a copy of this order to plaintiff.

23 IT IS SO ORDERED.

24 Dated: January 3, 2014

25   
26 KENDALL J. NEWMAN  
27 UNITED STATES MAGISTRATE JUDGE  
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