

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MT. HAWLEY INSURANCE COMPANY,
an Illinois corporation,

Plaintiff,

v.

JDS BUILDERS GROUP, INC., a
California corporation,

Defendant.

No. 2:13-cv-02228-GEB-AC

**ORDER TO SHOW CAUSE AND
CONTINUING STATUS (PRETRIAL
SCHEDULING) CONFERENCE**

The October 24, 2013 Order Setting Status (Pretrial Scheduling) Conference scheduled a status conference in this case on January 21, 2014, and required the parties to file a joint status report no later than fourteen (14) days prior to the scheduling conference. The October 24, 2013 Order further required that a status report be filed regardless of whether a joint report could be procured. No status report was filed as ordered.

Therefore, Plaintiff is Ordered to Show Cause ("OSC") in a writing to be filed no later than January 24, 2014, why sanctions should not be imposed against it and/or its counsel under Rule 16(f) of the Federal Rules of Civil Procedure for failure to file a timely status report. The written response shall also state whether Plaintiff or its counsel is at fault,

1 and whether a hearing is requested on the OSC.¹ If a hearing is
2 requested, it will be held on March 3, 2014, at 9:00 a.m., just
3 prior to the status conference, which is rescheduled to that date
4 and time. A joint status report shall be filed no later than
5 fourteen (14) days prior to the status conference.

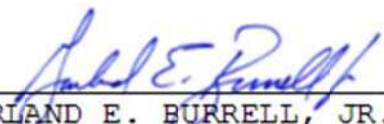
6 IT IS SO ORDERED.

7 Dated: January 15, 2014

8

9

10



GARIAND E. BURRELL, JR.
Senior United States District Judge

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

¹ "If the fault lies with the attorney, that is where the impact of sanction should be lodged. If the fault lies with the clients, that is where the impact of the sanction should be lodged." In re 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 consequences, are visited upon clients. Myers v. Shekter (In re Hill), 775 F.2d 1385, 1387 (9th Cir. 1985).