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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SCOTT JOHNSON,

Plaintiff,

v.

SALEEM A. KHAN, et al.,

Defendants.

No. 2:14-cv-1823-TLN-EFB

ORDER TO SHOW CAUSE

On August 16, 2015, plaintiff filed a motion for discovery sanctions pursuant to Federal Rule of Civil Procedure 37(b)(2)(A) and noticed the motion for hearing on September 2, 2015.¹ ECF No. 29.

Plaintiff's motion seeks only the imposition of sanctions, and accordingly Local Rule 251(e) applies. *See* E.D. Cal. L.R. 251(e) (exempting the requirement that the parties file a Joint Statement re Discover Disagreement "when the only relief sought by the motion is the imposition of sanctions."). Under Local Rule 251(e), defendants' response to the motion was due no later than seven days before the hearing date, or in this instance by August 26, 2015. That deadline has passed and, in violation of Local Rule 251(e), defendants have failed to file any response to plaintiff's motion.

¹ The motion is before the undersigned pursuant to 28 U.S.C. § 636(b)(1) and Eastern District of California Local Rule 302(c)(1).

1 Local Rule 110 provides that failure to comply with the Local Rules “may be grounds for
2 imposition by the Court of any and all sanctions authorized by statute or Rule or within the
3 inherent power of the Court.” *See also Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995)
4 (“Failure to follow a district court’s local rules is a proper ground for dismissal.”).

5 Accordingly, good cause appearing, it is hereby ORDERED that:

6 1. The hearing on plaintiff’s motion for Rule 37 sanctions (ECF No. 29) is continued to
7 September 16, 2015.

8 2. Defendants’ counsel shall show cause, in writing, no later than September 9, 2015,
9 why he should not be sanctioned in the amount of \$500 for his failure to file an opposition or
10 statement of non-opposition to the pending motion as required by Local Rule 251(e).

11 3. Defendants shall file an opposition to the motion, or a statement of non-opposition
12 thereto, no later than September 9, 2015.

13 4. Plaintiff may file a reply to defendants’ opposition, if any, on or before September 14,
14 2015.

15 DATED: September 1, 2015.

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17 EDMUND F. BRENNAN
18 UNITED STATES MAGISTRATE JUDGE
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