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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

Scott Johnson,

Plaintiff,

v.

PRB Management, LLC; and DOES
1-10,

Defendants.*

No. 2:14-cv-01900-GEB-AC

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

The January 22, 2015, Order to Show Cause and Continuing Status (Pretrial Scheduling) Conference scheduled a status conference in this case on February 23, 2015, and required Plaintiff and former Defendant Marcel Chiang to file a joint status report no later than fourteen (14) days prior to the scheduling conference. Although Plaintiff filed a response to the Order to Show Cause, no status report was filed as ordered.

Therefore, Plaintiff is Ordered to Show Cause ("OSC") in a writing to be filed no later than February 23, 2015, why sanctions should not be imposed against him and/or his 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 his counsel is at fault,

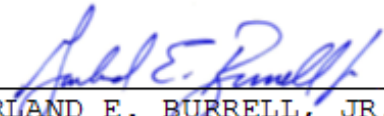
* The caption has been amended according to the stipulated dismissal of Defendant Marcel Chiang. (See ECF No 12.)

1 and whether a hearing is requested on the OSC.¹ If a hearing is
2 requested, it will be held on March 23, 2015, 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 Further, in light of PRB Management, LLC's January 23,
7 2015 Answer, (ECF No. 15), and January 26, 2015 Response to the
8 Court's OSC,² (ECF No. 17), the December 23, 2014 Dismissal
9 Order, (ECF No. 10), is VACATED nunc pro tunc.

10 IT IS SO ORDERED.

11 Dated: February 12, 2015

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15 _____
16 GARIAND E. BURRELL, JR.
17 Senior United States District Judge
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24 _____
25 ¹ "If the fault lies with the attorney, that is where the impact of
26 sanction should be lodged. If the fault lies with the clients, that is where
27 the impact of the sanction should be lodged." In re Sanction of Baker, 744
28 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).

² Although not ordered to, PRB Management, LLC responded to the January
22, 2015 OSC.