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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SCOTT JOHNSON,

Plaintiff,

v.

MIKE PATEL, et al.,

Defendants.

No. 2:14-cv-2052-KJM-DB

ORDER AND ORDER FOR SANCTIONS

On August 29, 2016, the court ordered the parties in the above-entitled action to show cause why sanctions should not issue for their failure to timely submit settlement conference statements as ordered. That order also vacated the September 1, 2016 settlement conference.

The court is in receipt of plaintiff's counsel's response. Counsel for defendant has failed to respond to the court's order to show cause. Based on the representations in plaintiff's counsel's response, the order to show cause is discharged as to plaintiff.

Counsel for defendant, however, is sanctioned in the amount of one hundred fifty (\$150) dollars. *See* E.D. Cal. L.R. 110 ("Failure of counsel or of a party to comply with these Rules or with any order of the Court may be grounds for imposition by the Court of any and all sanctions authorized by statute or Rule or within the inherent power of the Court."). This sum shall be paid to the Clerk of the Court no later than thirty days from the date of this order. Counsel for defendant shall file an affidavit accompanying the payment of this sanction which states that it is

1 paid personally by him, out of personal funds, and is not and will not be billed, directly or
2 indirectly, to his clients or in any way made the responsibility of his clients as attorneys' fees or
3 costs.

4 The Settlement Conference is RESET for March 2, 2017 at 10:00 a.m. in Courtroom No.
5 8. Settlement conference statements shall be submitted to the undersigned not later than seven (7)
6 days preceding the settlement conference.

7 So Ordered.

8 DATED: September 15, 2016.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE

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