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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 VACATING SETTLEMENT
CONFERENCE

On May 3, 2016, the assigned district judge referred this case to the undersigned to conduct a settlement conference on September 1, 2016. ECF No. 28. That order directed the parties to submit settlement conference statements not later than seven days preceding the conference. Both parties failed to timely submit settlement conference statements.

Accordingly, on August 29, 2016, the court ordered the parties to show cause why sanctions should not issue for their failure to timely submit settlement conference statements as ordered and vacated the September 1, 2016 settlement conference pending receipt of their responses. ECF No. 30.

Plaintiff's counsel responded to the order to show cause. Defense counsel failed to file a response. On September 15, 2016, the court discharged the order to show case as to plaintiff's counsel, but sanctioned defense counsel in the amount of \$150.00 for failure to submit a

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1 settlement conference statement or to respond to the court's order to show cause.¹ ECF No. 32.
2 That order reset the settlement conference for March 2, 2017, and directed the parties to submit
3 settlement statements not later than seven days prior to the conference. Plaintiff's counsel has
4 submitted their statement.

5 The time for acting has passed and defense counsel has once again failed to timely submit
6 a settlement conference statement. Accordingly, the court hereby orders that:

- 7 1. The Settlement Conference, currently set for March 2, 2017, is vacated; and
- 8 2. The matter is referred back to the assigned district judge for further direction as to a
9 settlement conference, in light of defense counsel's failure to comply with court
10 orders.

11 So Ordered.

12 DATED: February 27, 2017.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE

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¹ Defense counsel paid the sanctions on October 20, 2016.