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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

The parties scheduled a settlement conference before the assigned magistrate judge. The magistrate judge vacated the settlement conference and referred the case back to the undersigned for further direction after defense counsel, Michael Welch, repeatedly disregarded court orders to file a settlement conference statement. *See* ECF Nos. 30–32, 34. The magistrate judge also sanctioned Mr. Welch for his noncompliance. ECF No. 32. On April 6, 2017, the undersigned issued an order to show cause why the court should not strike defendants’ answer and enter default against defendants for failure to prosecute. ECF No. 35. Mr. Welch responded with a declaration, stating he has not been able to contact his clients for almost a year and requesting another thirty days to attempt to find them. ECF No. 36 ¶ 4.

Mr. Welch’s response is inadequate. Mr. Welch admits he has had no contact with any of his clients for almost a year, yet he never attempted to inform the court of this fact

1 previously. He continually ignored the magistrate judge's orders and now, belatedly, offers no
2 reason, let alone "good cause," for his recurrent noncompliance. See ECF No. 36. He has not
3 provided a basis for discharging the order to show cause although the court defers a decision on
4 discharge pending Mr. Welch's response to this order.

5 Because Mr. Welch has now reestablished communication with the court, the court
6 postpones entry of default and grants his request for more time to locate his clients. The court
7 ORDERS Mr. Welch to file a status report identifying his proposed next steps within thirty (30)
8 days of this order. Failure to do so will result in imposition of a \$250 sanction.

9 IT IS SO ORDERED.

10 DATED: May 1, 2017.

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13 UNITED STATES DISTRICT JUDGE
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