

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CYNTHIA HOPSON,

Plaintiff,

v.

BIG BOY MARKETS, INC.; ARTHUR
TOY AND PATRICIA TOY TRUST;
and DOES 1- 10, inclusive,

Defendants.

No. 2:14-cv-02274-GEB-AC

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

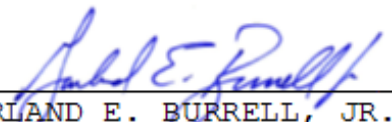
The September 30, 2015 Order Setting Status (Pretrial Scheduling) Conference scheduled a status conference in this case on January 26, 2015, and required the parties to file a joint status report no later than fourteen (14) days prior to the scheduling conference. The September 30, 2015 Order further required a status report be filed regardless of whether a joint report could be procured. No status report was filed as ordered.

Therefore, Plaintiff is Ordered to Show Cause ("OSC") in a writing to be filed no later than January 30, 2015, why sanctions should not be imposed against her and/or her 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 her counsel is at fault,

1 and whether a hearing is requested on the OSC.¹ If a hearing is
2 requested, it will be held on March 9, 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.**²

6 IT IS SO ORDERED.

7 Dated: January 22, 2015

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11 GARIAND E. BURRELL, JR.
12 Senior United States District Judge
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23 ¹ "If the fault lies with the attorney, that is where the impact of
24 sanction should be lodged. If the fault lies with the clients, that is where
25 the impact of the sanction should be lodged." In re Sanction of Baker, 744
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).

26 ² The failure of one or more of the parties to participate in the
27 preparation of the Joint Status Report does not excuse the other parties from
28 their obligation to timely file a status report in accordance with this Order.
In the event a party fails to participate as ordered, the party timely
submitting the status report shall include a declaration explaining why it was
unable to obtain the cooperation of the other party(ies).