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UNITED STATES DISTRICT COURT

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EASTERN DISTRICT OF CALIFORNIA

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HOLLY CASH,

No. 2:14-cv-02859-GEB-CKD

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Plaintiff,

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v.

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

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BEACH HUT MIDTOWN LLC, a  
California Limited Liability  
Co, dba BEACH HUT DELI; JOHN  
ZEE; and ANNA ZEE,

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Defendants.

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The February 13, 2015 Order Continuing Status (Pretrial Scheduling) Conference scheduled a status conference in this case on May 4, 2015, and required the parties to file a joint status report no later than fourteen (14) days prior to the scheduling conference. No status report was filed as ordered.

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Therefore, Plaintiff is Ordered to Show Cause ("OSC") in writing to be filed no later than May 4, 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, and whether a hearing is requested on the OSC.<sup>1</sup> If a hearing is requested, it

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<sup>1</sup> "If the fault lies with the attorney, that is where the impact of sanction should be lodged. If the fault lies with the clients, that is where the impact of the sanction should be lodged." In re Sanction of Baker, 744

1 will be held on May 18, 2015, at 9:00 a.m., just prior to the  
2 status conference, which is rescheduled to that date and time. A  
3 joint status report shall be filed no later than fourteen (14)  
4 days prior to the status conference.<sup>2</sup>

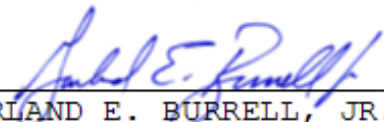
5 IT IS SO ORDERED.

6 Dated: April 27, 2015

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GARLAND E. BURRELL, JR.  
Senior United States District Judge

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24 F.2d 1438, 1442 (10th Cir. 1984), cert. denied, 471 U.S. 1014 (1985).  
25 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).

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<sup>2</sup> The failure of one or more of the parties to participate in the preparation of a joint status report does not excuse the other party(ies) from its 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 a status report shall include a declaration explaining why it was unable to obtain the cooperation of the other party(ies).