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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

NELSON LAC,  
  
  Plaintiff,  
  
                        v.  
  
NATIONSTAR MORTGAGE, LLC,  
  
  Defendant.

No. 2:15-cv-0523-KJM-AC

ORDER

On June 2, 2016, the court issued an order requiring plaintiff’s counsel, Aldon Bolanos, to show cause why monetary sanctions should not be imposed on him personally for his conduct in the settlement discussions following the May 23, 2016 settlement conference before the undersigned. (ECF No. 87.) That same day, Mr. Bolanos filed a response to the order to show cause. (ECF No. 89.)


After reviewing Mr. Bolanos’s response, the court continues to be troubled by: (1) Mr. Bolanos’s failure to promptly and meaningfully respond to defendant’s counsel’s settlement communications; (2) Mr. Bolanos’s failure to timely return the court’s telephone calls and keep the court apprised regarding the status of settlement discussions with his client; (3) Mr. Bolanos’s unapologetic, and at times bordering on disrespectful, tone in addressing the court during the June 2, 2016 telephone conference; and (4) the potential waste of judicial resources in preparing for, and hearing, motions that could have been mooted by a settlement, had Mr. Bolanos and his client

1 been diligent in taking steps to finalize the potential settlement earlier.<sup>1</sup> Notably, at 9:32 a.m. on  
2 June 3, 2016, *less than 30 minutes before the motions hearing before Judge Mueller was to*  
3 *commence*, Mr. Bolanos again contacted the undersigned to seek assistance in postponing that  
4 hearing before Judge Mueller to give Mr. Bolanos more time to get a settlement concluded. Such  
5 needless last-minute efforts waste the court's time and resources, and do little to advance his own  
6 client's interests.

7 Nevertheless, because Mr. Bolanos now appears to be taking steps to be more diligent and  
8 improve his communication with defendant's counsel and the court, and with the hope that the  
9 order to show cause has served as an adequate lesson, the court declines to impose sanctions at  
10 this juncture. However, Mr. Bolanos is hereby cautioned that future similar conduct may result in  
11 sanctions.

12 Accordingly, IT IS HEREBY ORDERED that the order to show cause (ECF No. 87) is  
13 DISCHARGED.

14 Dated: June 7, 2016

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17 KENDALL J. NEWMAN  
18 UNITED STATES MAGISTRATE JUDGE  
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27 <sup>1</sup> Of course, Mr. Bolanos and his client were not required to settle, and the undersigned does not  
28 mean to imply that they were unreasonable for declining to do so. Instead, the undersigned was  
concerned about the needless last minute communications that could have been avoided.