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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

Anthony Carrasco and Kimberly Carrasco, individually and on behalf of all others similarly situated,

Plaintiffs,

v.

Shasta-Cascade Credit Bureaus, Inc. dba North Valley Collection Bureau; and Does 1-10, inclusive;

Defendants.

No. 2:15-cv-01419-GEB-KJN

ORDER TO SHOW CAUSE AND CONTINUING STATUS (PRETRIAL SCHEDULING) CONFERENCE; FED. R. CIV. P. 4(M) NOTICE

The July 6, 2015 Order Setting Status (Pretrial Scheduling) Conference scheduled a status conference in this case on October 26, 2015, and required the parties to file a joint status report no later than fourteen (14) days prior to the scheduling conference. The July 6, 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.

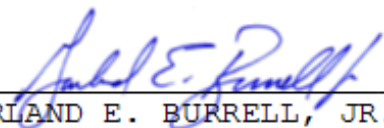
Therefore, Plaintiffs are Ordered to Show Cause ("OSC") in a writing to be filed no later than November 2, 2015, why sanctions should not be imposed against them and/or their counsel under Rule 16(f) of the Federal Rules of Civil Procedure for failure to file a timely status report. The written response

1 shall also state whether Plaintiffs or their counsel are at
2 fault, and whether a hearing is requested on the OSC.¹ If a
3 hearing is requested, it will be held on December 21, 2015, at
4 9:00 a.m., just prior to the status conference, which is
5 rescheduled to that date and time. A status report shall be filed
6 no later than fourteen (14) days prior to the status conference.

7 Further, Plaintiffs are notified under Rule 4(m) of the
8 Federal Rules of Civil Procedure that failure to serve each
9 Defendant with process within the 120 day period prescribed in
10 that Rule may result in the unserved defendant(s) and/or this
11 action being dismissed. To avoid dismissal, on or before November
12 2, 2015, Plaintiffs shall file proof of service for each
13 defendant or a sufficient explanation why service was not
14 completed within Rule 4(m)'s prescribed service period.

15 IT IS SO ORDERED.

16 Dated: October 20, 2015

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20 GARIAND E. BURRELL, JR.
21 Senior United States District Judge

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26 ¹ "If the fault lies with the attorney, that is where the impact of
27 sanction should be lodged. If the fault lies with the clients, that is where
28 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).