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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

KERRY BOULTON, et al.,

Plaintiffs,

v.

U.S. TAX LIEN ASSOCIATION, LLC, et  
al.,

Defendants.

No. 2:15-cv-2384 MCE AC

ORDER

On November 27, 2018, the court directed plaintiff's counsel Brian S. Carter to pay three sanctions awards to defendants no later than December 7, 2018. ECF No. 74. Specifically, Mr. Carter was ordered to pay past-due sanctions in the total amount of \$17,830 – \$7,450 awarded on August 10, 2018 (ECF No. 55) and \$10,380 awarded on October 12, 2018 (ECF No. 71) – plus an additional \$3,937.50 in fees as new sanctions related to defendants' motion for terminating sanctions. Id. at 14-15. All sanctions were ordered to be paid by counsel personally and not charged to his clients. Mr. Carter was ordered to file a declaration attesting that the sanctions had been paid out of his own funds and not charged to his clients. Id.

Although the district judge has not yet ruled on the recommendation that terminating sanctions be granted, the order for payment of monetary sanctions is independent of that recommendation and not contingent on its adoption. Mr. Carter was warned that failure to remit the sums by the deadline may result in a report to the State Bar of California. Id. at 15. The

1 deadline has passed, and Mr. Carter has not filed the required declaration. Nor have defendants  
2 filed a notice of his compliance.

3 IT IS THEREFORE ORDERED that the Clerk of the Court is directed to send copies of  
4 this order and of the order filed on November 27, 2018, to the State Bar of California.

5 DATED: December 11, 2018

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7 ALLISON CLAIRE  
8 UNITED STATES MAGISTRATE JUDGE  
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