

1 Defendant's counsel states that he overlooked the briefing deadline. ECF Nos. 17. The
2 explanations are troubling.¹ While counsel each express the opinion that holding a settlement
3 conference on April 13 would not have been productive in any event, that fails to take account of
4 the very heavy caseload in this district and the large numbers of cases in which the parties are
5 requesting and awaiting available dates for settlement conferences. When a date is reserved for
6 the parties in one case, as occurred here, it becomes unavailable to the parties in other cases.²
7 Although the court is not imposing sanctions at this time, counsel are admonished that future
8 violations of scheduling orders or the court's Local Rules or Federal Rules of Civil Procedure will
9 result in sanctions. *See* Fed. R. Civ. P. 16(f); E.D. Cal. Local Rule 110. The order to show cause
10 issued on April 10, 2017, ECF No. 16, is therefore discharged.

11 So Ordered.

12 DATED: May 4, 2017.

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14 EDMUND F. BRENNAN
15 UNITED STATES MAGISTRATE JUDGE
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26 ¹ Neither explanation constitutes good cause excusing their failure to comply with the
27 court's order. *See Wei v. State of Hawaii*, 763 F.2d 370, 372 (9th Cir. 1985).

28 ² Due to the number of cases in this district, the court's available settlement conference
dates are booked for the next four months.