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UNITED STATE	ES DISTRICT COURT
8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA	
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CAPDIE ANN CLAPK	No. 2:16-cv-2252 TLN DB
ŕ	NO. 2.10-CV-2232 TEN DB
	ODDED
	<u>ORDER</u>
COMPANY,	
Defendant.	
This section some before the count on May 18, 2018, for bearing of defendant's metion to	
This action came before the court on May 18, 2018, for hearing of defendant's motion to	
compel. (ECF No. 42.) Attorney Robin Coker appeared telephonically on behalf of the plaintiff.	
Attorney Brian O'Conner appeared in person on behalf of the defendant. On May 22, 2018, the	
undersigned issued an order granting defendant's motion to compel, ordering plaintiff to provide	
defendant discovery responses within twenty-one days, and ordering plaintiff's counsel to pay	
defendant \$2,430 in sanctions within twenty-one days. (ECF No. 46.)	
On July 17, 2018, defendant filed a motion for sanctions due to plaintiff's failure to	
comply with the May 22, 2018 order. (ECF No. 47.) That motion seeks terminating and/or	
evidentiary sanctions, as well as an additional \$2,940 in monetary sanctions. The motion is	
27 noticed for hearing before the undersigned on August 3, 2018. Despite the serious nature of the	
	CARRIE ANN CLARK, Plaintiff, V. HORACE MANN INSURANCE COMPANY, Defendant. This action came before the court on Months action came before the court on Months action came appeared in person of undersigned issued an order granting defendant defendant discovery responses within twenty-defendant \$2,430 in sanctions within twenty-defendant \$2,430 in sanctions within twenty-defendant \$1,2018, defendant filed a months accomply with the May 22, 2018 order. (ECF Note evidentiary sanctions, as well as an additional

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1 allegations and relief sought by defendant's motion, plaintiff has failed to file any response to 2 defendant's motion. 3 Accordingly, IT IS HEREBY ORDERED that: 4 1. Within fourteen days of the date of this order plaintiff show cause in writing providing 5 good cause for plaintiff's conduct. Plaintiff filing shall also address why the undersigned should 6 not issue monetary sanctions, in addition to those sought by defendant, against plaintiff's counsel 7 for counsel's failure to comply with the undersigned's May 22, 2018 order; 8 2. Within fourteen days of the date of this order plaintiff's counsel shall serve on plaintiff 9 a copy of defendant's July 17, 2018 motion as well as a copy of this order and file proof of 10 service: 11 3. The August 3, 2018 hearing of defendant's motion for sanctions (ECF No. 47) is 12 continued to Friday, August 31, 2018, at 10:00 a.m., at the United States District Court, 501 I 13 Street, Sacramento, California, in Courtroom No. 27, before the undersigned; 14 4. On or before August 17, 2018, plaintiff shall file a statement of opposition or non-15 opposition to defendant's motion; and 16 5. Plaintiff is cautioned that the failure to timely comply with this order may result in a 17 recommendation that this case be dismissed. 18 Dated: July 30, 2018 19 20 21 UNITED STATES MAGISTRATE JUDGE 22 23 24 DLB:6 DB\orders\orders.civil\clark2252.osc.cont.hrg.ord 25 26

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