

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RAUL ZAMUDIO and SOLEDAD
ZAMUDIO,

Plaintiffs,

v.

FMC CORPORATION,

Defendant.

No. 2:16-cv-2693 DAD DB PS

ORDER

Plaintiffs Raul Zamudio and Soledad Zamudio are proceeding in this action pro se. This matter was referred to the undersigned in accordance with Local Rule 302(c)(21) and 28 U.S.C. § 636(b)(1). On August 24, 2022, the undersigned issued an order setting this matter for a Status (Pretrial Scheduling) Conference on October 7, 2022. (ECF No. 87.) Pursuant to that order plaintiffs were to file status reports on or before September 23, 2022. Neither plaintiff, however, has filed a timely status report.

The failure of a party to comply with the Local Rules or any order of the court “may be grounds for imposition by the Court of any and all sanctions authorized by statute or Rule or within the inherent power of the Court.” Local Rule 110. Any individual representing himself or herself without an attorney is bound by the Federal Rules of Civil Procedure, the Local Rules, and

///

1 all applicable law. Local Rule 183(a). Failure to comply with applicable rules and law may be
2 grounds for dismissal or any other sanction appropriate under the Local Rules. Id.

3 In light of plaintiffs' pro se status, and in the interests of justice, the court will provide
4 plaintiffs with an opportunity to show good cause for plaintiffs' conduct along with a final
5 opportunity to comply with the court's order.

6 Accordingly, IT IS HEREBY ORDERED that:

7 1. Plaintiffs show cause in writing within fourteen days of the date of this order for
8 plaintiffs' failure to file timely status reports;

9 2. The October 7, 2022 Status (Pretrial Scheduling) Conference is continued to **Friday,**
10 **November 4, 2022, at 10:00 a.m.**, at the United States District Court, 501 I Street, Sacramento,
11 California, in Courtroom No. 27, before the undersigned¹;

12 3. On or before **October 21, 2022**, plaintiffs shall file status reports;

13 4. On or before **October 28, 2022**, defendant shall file a status report; and

14 5. Plaintiffs are cautioned that the failure to timely comply with this order may result in
15 the imposition of an appropriate sanction including the recommendation that this matter be
16 dismissed.

17 DATED: September 29, 2022

/s/ DEBORAH BARNES

UNITED STATES MAGISTRATE JUDGE

18
19
20 _____
21 ¹ Parties shall appear at the Status Conference either telephonically or over video conference
22 through the Zoom application (which is free and must be downloaded to your computer or mobile
23 device prior to the hearing). Parties proceeding in propria persona, on his or her own behalf, shall
24 contact Mamendella York, the courtroom deputy of the undersigned magistrate judge at (916)
25 930-4128, no sooner than 4 days prior to the noticed or continued hearing date but no later than
26 48 hours prior to the hearing, to arrange their appearance either telephonically or over video
27 conference. Counsel will receive an email containing the necessary appearance information and
28 must notify the courtroom deputy no later than 48 hours prior to the hearing to elect to appear
either telephonically or over video conference. The Zoom ID Number and password are
confidential and are not to be given to anyone. Persons granted remote access to these
proceedings, whether by Zoom or by telephone, are reminded of the general prohibition against
photographing, recording, and rebroadcasting of court proceedings. Violation of these
prohibitions may result in sanctions, restricted entry to future hearings, denial of entry to future
hearings, or any other sanctions deemed necessary by the court.