

1 within the inherent power of the Court.” Local Rule 110. Any individual representing himself or
2 herself without an attorney is bound by the Federal Rules of Civil Procedure, the Local Rules, and
3 all applicable law. Local Rule 183(a). Failure to comply with applicable rules and law may be
4 grounds for dismissal or any other sanction appropriate under the Local Rules. Id. In light of
5 plaintiff’s pro se status, and in the interests of justice, the court will provide plaintiff with an
6 opportunity to show good cause for plaintiff’s conduct along with a final opportunity to oppose
7 defendant’s motions.

8 The undersigned also notes that defendant’s motion for a protective order seeks “a
9 protective order declaring that Defendants and their counsel do not have to respond to Plaintiff’s
10 written discovery” demands. (ECF No. 69 at 1.) This motion would, on the surface, appear
11 unnecessary as defendant’s acknowledge that discovery in this action has already closed, and
12 plaintiff has not moved to compel defendant’s response. (Id. at 2.)

13 However, defendant’s motion also references “troubling, indeed threatening
14 communications from Plaintiff[.]” (Id. at 2.) Defendant’s motion cites an email in which
15 plaintiff sought to apologize “face to face,” signed off “thx sweetly,” on one occasion arrived at
16 counsel’s office unannounced, and later threatened to “commit a sin.” (Id. at 3-7.) As noted
17 above, the motion has not been fully briefed. And it is unclear what remedy defendant seeks from
18 the court with respect to this conduct.

19 Nonetheless, the undersigned will remind the parties that they are to behave courteously
20 and professionally. They may disagree without being disagreeable. And certainly the parties
21 may take any permissible and reasonable steps necessary to ensure their comfort and safety.
22 Moreover, the parties are cautioned that the court expects the parties to refrain from any form of
23 threatening conduct.

24 Accordingly, IT IS HEREBY ORDERED that:


- 25 1. Plaintiff show cause in writing within fourteen days of the date of this order as to why
26 this case should not be dismissed for lack of prosecution;
- 27 2. The May 24, 2019 hearing of plaintiff’s motion for judgment on the pleadings (ECF
28 No. 68), and defendant’s motions for a protective order and summary judgment (ECF Nos. 69-70)

1 is continued to **Friday, June 21, 2019, at 10:00 a.m.**, at the United States District Court, 501 I
2 Street, Sacramento, California, in Courtroom No. 27, before the undersigned;

3 3. On or before **June 7, 2019**, plaintiff shall file an opposition or statement of non-
4 opposition to defendant's motions²; and

5 4. Plaintiff is cautioned that the failure to timely comply with this order may result in the
6 recommendation that this case be dismissed.

7 Dated: May 17, 2019

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11 DEBORAH BARNES
12 UNITED STATES MAGISTRATE JUDGE
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27 ² Alternatively, if plaintiff no longer wishes to pursue this civil action, plaintiff may comply with
28 this order by filing a request for voluntary dismissal pursuant to Rule 41(a) of the Federal Rules
of Civil Procedure.