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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES DAHLIN and KIMBERLY  
DAHLIN,

Plaintiffs,

v.

ROSEMARY FRIEBORN, et al.,

Defendants.

No. 2:17-cv-02585 MCE AC

ORDER TO SHOW CAUSE

This matter is before the court on defendant Rosemary Frieborn’s motion to compel plaintiffs James Dahlin and Kimberly Dahlin’s further responses to her first set of requests for production of documents. ECF No. 181. The discovery motion was referred to the magistrate judge pursuant to E.D. Cal. R. 302(c)(1). Co-defendant Thomas Sheriff filed a statement of non-opposition. ECF No. 185. Defendant filed a “joint statement” but no argument from plaintiffs was included because, per defense counsel, despite multiple attempts to meet and confer and obtain plaintiffs’ portion of the statement, plaintiffs’ counsel was unresponsive. ECF No. 182 at 5. Plaintiffs filed a “Supplemental Response to Fourth Amended Responses” on March 27, 2024; this document was not only belatedly filed but is also not responsive to the motion. ECF No. 184. Based on the information available to the court, it appears plaintiffs are not meeting their obligation to meaningfully participate in discovery.

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Good cause appearing, IT IS HEREBY ORDERED that plaintiffs shall show cause, in writing, no later than May 2, 2024, why they failed to participate in the joint statement. If plaintiffs fail to respond or otherwise fail to show good cause by May 2, 2024, the court will grant the motion to compel and may order further sanctions as necessary and appropriate.

DATED: April 18, 2024

  
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ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE