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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ELIZABETH GOMEZ, an individual,
Plaintiff,

v.

NATIONSTAR MORTGAGE, LLC, a
Delaware Limited Liability Company;
QUALITY LOAN SERVICE
CORPORATION, a California
Corporation; and DOES 1-100,
INCLUSIVE,

Defendants.

No. 2:18-cv-1080 JAM DB PS

ORDER

Plaintiff, Elizabeth Gomez, is 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 October 11, 2018, the undersigned issued an order setting this matter for a status conference on November 16, 2018. (ECF No. 16.) Pursuant to the order plaintiff was to file a status report on or before November 2, 2018. (Id. at 2.) Plaintiff, however, has not 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

1 herself without an attorney is bound by the Federal Rules of Civil Procedure, the Local Rules, and
2 all applicable law. Local Rule 183(a). Failure to comply with applicable rules and law may be
3 grounds for dismissal or any other sanction appropriate under the Local Rules. Id.

4 In light of plaintiff's pro se status, and in the interests of justice, the court will provide
5 plaintiff with an opportunity to show good cause for plaintiff's conduct.¹

6 Accordingly, IT IS HEREBY ORDERED that:

7 1. Plaintiff show cause in writing within fourteen days of the date of this order as to why
8 this case should not be dismissed for lack of prosecution²;

9 2. The November 9, 2018 status conference is continued to **Friday, December 7, 2018,**
10 **at 10:00 a.m.** at the United States District Court, 501 I Street, Sacramento, California, in
11 Courtroom No. 27 before the undersigned;

12 3. All parties are required to appear at the Status Conference, either by counsel or, if
13 proceeding in propria persona, on his or her own behalf. Any party may appear at the status
14 conference telephonically if the party pre-arranges such appearance by contacting Pete Buzo, the
15 courtroom deputy of the undersigned magistrate judge, at (916) 930-4128, no later than 48 hours
16 before the Status (Pretrial Scheduling) Conference; a party may not appear telephonically over a
17 cellphone.

18 4. Plaintiff shall file and serve a status report on or before **November 23, 2018,** and
19 defendant shall file and serve a status report on or before **November 30, 2018.** Each party's
20 status report shall address all of the following matters:

- 21 a. Progress of service of process;
- 22 b. Possible joinder of additional parties;
- 23 c. Possible amendment of the pleadings;

24 _____
25 ¹ On October 19, 2018, defendant Nationstar Mortgage LLC, filed a stipulation of dismissal
26 signed by the plaintiff. (ECF No. 17.) That stipulation, however, pertained only to that
defendant.


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.

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- d. Jurisdiction and venue;
- e. Anticipated motions and the scheduling thereof;
- f. Anticipated discovery and the scheduling thereof, including disclosure of expert witnesses;
- g. Future proceedings, including the setting of appropriate cut-off dates for discovery and for law and motion, and the scheduling of a final pretrial conference and trial;
- h. Modification of standard pretrial procedures specified by the rules due to the relative simplicity or complexity of the action;
- i. Whether the case is related to any other case, including matters in bankruptcy;
- j. Whether the parties will stipulate to the magistrate judge assigned to this matter acting as settlement judge, waiving any disqualification by virtue of her so acting, or whether they prefer to have a Settlement Conference before another magistrate judge;
- k. Whether the parties intend to consent to proceed before a United States Magistrate Judge; and
- l. Any other matters that may aid in the just and expeditious disposition of this action.

5. Plaintiff is again advised that failure to timely comply with this order, or failure to appear at the status conference either in person or telephonically, may result in a recommendation that this action be dismissed for lack of prosecution and as a sanction for failure to comply with court orders and applicable rules. See Local Rules 110 and 183.

Dated: November 9, 2018


DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE

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