

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

DAVID ROBINSON,
Plaintiff,
v.
SAUL FARIAS,
Defendant.

Case No. 2:24-cv-00935-DJC-JDP (PS)

ORDER TO SHOW CAUSE

On April 24, 2024, the parties filed a stipulation to extend to May 8, 2024, defendant’s deadline to file a response to plaintiff’s complaint. ECF No. 5. After defendant failed to timely file a responsive pleading, plaintiff requested entry of defendant’s default, ECF No. 6, which the Clerk of Court entered on May 20, 2024, ECF No. 7. On September 6, 2024, plaintiff filed a motion for default judgment. ECF No. 19. To date, defendant has not filed a response to the motion.

Under the court’s local rules, a responding party is required to file an opposition or statement of non-opposition to a motion no later than fourteen days after the date it was filed. E.D. Cal. L.R. 230(c). To manage its docket effectively, the court requires litigants to meet certain deadlines. The court may impose sanctions for failure to comply with its orders or local rules. *See* E.D. Cal. L.R. 110 (“Failure of counsel or of a party to comply with these Rules or

1 with any order of the Court may be grounds for imposition by the Court of any and all sanctions
2 authorized by statute or Rule or within the inherent power of the Court.”).

3 Accordingly, defendant’s attorney, William Reustle, will be ordered to show cause why
4 sanctions should not be imposed for failure to file a response to plaintiff’s motion for default
5 judgment.

6 Accordingly, it is hereby ORDERED that:

7 1. The October 24, 2024 hearing on plaintiff’s motion for default judgment is continued
8 to November 21, 2024, at 10:00 a.m., in Courtroom No. 9.

9 2. By no later than November 7, 2024, defendant shall file an opposition or statement of
10 non-opposition to plaintiff’s motion for default judgment. *See* ECF No. 8.

11 3. Mr. Reustle shall show cause, by no later than November 7, 2024, why sanctions
12 should not be imposed for failure to timely file, on behalf of his client, an opposition or statement
13 of non-opposition to plaintiff’s motion.

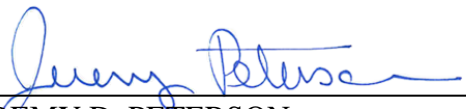
14 4. Plaintiff may file a reply to defendant’s opposition, if any, no later than November 14,
15 2024.

16 5. Failure to comply with this order may result in the imposition of sanctions.

17 6. The Clerk of Court is directed to serve by mail Mr. Reustle with a copy of this order at
18 711 Jefferson St, Ste 201, Fairfield, California 94533-5556.

19
20 IT IS SO ORDERED.

21 Dated: October 22, 2024

22 
23 JEREMY D. PETERSON
24 UNITED STATES MAGISTRATE JUDGE
25
26
27
28