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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
EUREKA DIVISION

INES MENDEZ,
Plaintiff,

v.

CALIFORNIA FORENSIC MEDICAL
GROUP, INC., *et al.*,
Defendants.

Case No. [14-cv-03756-NJV](#)

ORDER TO APPEAR

The Order to Show Cause (Doc. 29) came on for hearing on August 11, 2015 at 10:00 a.m. In the Order, the court noted that the State Bar of California listed Counsel for Plaintiff, Steven Turner Davies, as suspended from the practice of law in California on July 1, 2015. Accordingly, the court required that counsel appear in person on August 11, 2015 at 10:00 a.m., to show cause as to why he should not be sanctioned for violation of Local Rule 11. The court also ordered Mr. Davies to serve a copy of the Order to Show Cause on Plaintiff and to instruct Plaintiff to attend the August 11, 2015 hearing. In addition, the court required Mr. Davies to, on or before 12:00 p.m. on August 7, 2015, certify in writing that service to Plaintiff had been perfected and deliver that certification by hand to the Clerk's Office at 3140 Boeing Avenue, McKinleyville, CA 95519.

Mr. Davies did not certify in writing that he served Plaintiff with a copy of the Order to Show Cause. Mr. Davies did not appear for the August 11, 2015 hearing at 10:00 a.m. Instead, Mr. Davies appeared at 11:00 a.m. At the hearing, the court inquired as to why Mr. Davies did not follow the court's instruction to serve Plaintiff a copy of the Order to Show Cause. Mr. Davies answered by stating that he had not read the Order. When the court asked Mr. Davies if he was an active member of the State Bar of California, he responded that he was not.

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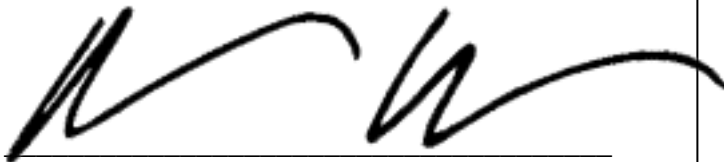
The situation now is that Plaintiff does not have a lawyer representing him in this matter and may not even know it. Accordingly, it is ORDERED that this matter is set for hearing on **August 25, 2015 at 10:00 a.m.** at 3140 Boeing Avenue, McKinleyville, CA 95519. ***Plaintiff, Ines Mendes, shall attend the hearing in person.*** At the hearing, Plaintiff shall inform the court whether he intends to proceed in this matter *pro se*, or whether he intends to secure new counsel.

Further, it is ORDERED that the Responses to the Motions for Summary Judgment (Docs 30 & 31), filed August 11, 2015, are hereby STRICKEN, as they were filed by Mr. Davies in violation of L.R. 11, as well as being several weeks late. In addition, the trial date and pretrial conference are VACATED and will be reset, if necessary, at a later date.

At the hearing on August 11, 2015, the court instructed Mr. Davies to provide the court with Plaintiff's address. In addition, Counsel for Defendants provided the court with an address for the Plaintiff. The addresses are not the same. Out of an abundance of caution, the court will serve a copy of this order by mail to Plaintiff at both of the addresses.

IT IS SO ORDERED.

Dated: August 11, 2015



NANDOR J. VADAS
United States Magistrate Judge

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Defendants.

Case No. [14-cv-03756-NJV](#)

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.


That on August 11, 2015, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

INES MENDES
4014 Little Fairfield
Eureka, CA 95501

INES MENDES
2101 Spring Street
Eureka, CA 95501

Dated: August 11, 2015

Richard W. Wieking
Clerk, United States District Court

By: 
Robert Illman, Deputy Clerk to the
Honorable NANDOR J. VADAS