

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CHERYL COTTERILL,

Plaintiff,

No. C 08-02295 JSW

v.

SF CITY AND COUNTY, ET AL.,

Defendants.

**ORDER DENYING MOTION FOR
ADMINISTRATIVE RELIEF AND
ORDER TO SHOW CAUSE**

Now before the Court is the motion for administrative relief filed by defendants, The Regents of the University of California and related individual defendants (collectively, “Defendants”). Plaintiff has filed no opposition. Plaintiff has submitted a letter after expiration of the period for objecting to the administrative motion requesting that the Court reset the case management conference and extend the period to object to the outstanding motion.

The administrative motion requests that the Court allow Defendants to be relieved of the obligation of submitting joint statements and/or statement co-authored by Plaintiff’s counsel, Gregory M. Haynes. Attached to the motion are documents that indicate that communication between counsel has broken down to the point where filing joint submissions is particularly difficult.

The Court is not pleased by the level of incivility in this matter. It is unacceptable. However, the Court will not excuse the meet and confer requirements for joint submissions. Therefore, the administrative motion is DENIED.

1 Instead, at the case management conference set for October 10, 2008 at 1:30 p.m., the
2 Court will address, and resolve, the incivility present in this case. The behavior exhibited in the
3 documents attached to the administrative motion does nothing to advance the interests of the
4 parties and will simply not be tolerated by this Court. The parties shall submit a joint case
5 management statement by no later than October 3, 2008. To the extent there are substantive
6 matters that the parties do not agree upon, the statement shall reflect such disagreement and
7 shall do so in a civil and respectful manner.

8 In addition, the Court issues this ORDER TO SHOW CAUSE why Plaintiff's counsel
9 should not be sanctioned for failure to meet and confer in good faith. Plaintiff's counsel shall
10 file a written response by no later than October 6, 2008 why sanctions should not be levied
11 against him and responding to the specific allegations of misconduct detailed in the
12 administrative motion and again in the responsive letter from Defendants' counsel dated
13 September 29, 2008. Counsel for both parties are hereby ORDERED to attend the case
14 management conference on October 10, 2008 at 1:30 p.m. accompanied by their client or client
15 representative.

16 Plaintiff's late-filed request to reschedule the case management conference and to
17 extend the deadline for opposing the administrative motion is DENIED. *See* N.D. Civ. L.R. 7-
18 11(b). The request is untimely and counsel clearly require Court intervention.

19 **IT IS SO ORDERED.**

20
21 Dated: September 30, 2008



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE