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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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8 SALLY STEINHART,

No. C -11-03497 EDL

9 Plaintiff,

**ORDER DENYING REQUEST TO
RESET TIME OF CASE MANAGEMENT
CONFERENCE AND DENYING
REQUEST TO APPEAR BY
TELEPHONE**

10 v.

11 JOSEPH BARKELA, et al.,

12 Defendants.
13 _____/

14 On September 10, 2012, the Court set a case management conference in this case because
15 this case had been idle since June 2012 when the Court issued an order on motions to dismiss filed
16 by Defendants Crespan and Pena, and Defendant Madrigal. On September 19, 2012, Plaintiff filed a
17 letter requesting, among other things, permission to appear by telephone at the case management
18 conference that was then set for September 25, 2012. On September 20, 2012, the Court denied
19 Plaintiff's request to appear by telephone at the case management conference. See Docket No. 65.
20 The Court, however, continued the case management conference to October 2, 2012 in part based on
21 Plaintiff's September 19, 2012 letter. On September 24, 2012, Plaintiff requested a continuance of
22 the October 2, 2012 case management conference from 10:00 a.m. to 12:00 p.m. or later on October
23 2, 2012. On September 27, 2012, the Court rescheduled the case management conference from
24 10:00 a.m. on October 2, 2012 to 12:00 p.m. on October 2, 2012, solely at Plaintiff's request.

25 On September 28, 2012, Plaintiff filed another request to appear telephonically at the case
26 management conference set for October 2, 2012 at 12:00 p.m. On October 1, 2012, the Court issued
27 an order denying Plaintiff's request to appear by telephone.

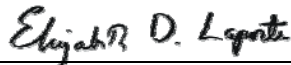
28 Later on October 1, 2012, Plaintiff filed another request to appear by telephone at the case
management conference, and to re-set the conference to the original time of 10:00 a.m. Plaintiff

1 explained that she found out on September 30, 2012 that her school crossing guard obligation would
2 begin at 11:45 a.m. during this week. For the first time, Plaintiff also stated that she lacked reliable
3 transportation to make her court appearance.

4 The Court has bent over backwards to accommodate Plaintiff's scheduling requests with
5 respect to this case management conference and will not change the schedule at this late date. In
6 addition to affecting the Court's schedule, three other parties that are affected by the scheduling of
7 this matter, and it is not fair to them to continue to change the timing of this conference. Therefore,
8 Plaintiff's request to change the time of the case management conference and to appear by telephone
9 is denied. Plaintiff is cautioned again that she has a duty to prosecute this case diligently and to
10 appear for court conferences and hearings.

11 IT IS SO ORDERED.

12 Dated: October 2, 2012



ELIZABETH D. LAPORTE
United States Magistrate Judge

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