## 1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 Northern District of California 9 10 San Francisco Division 11 PAULA LAZO, et al., No. C 12-00762 LB 12 Plaintiffs, **ORDER TO SHOW CAUSE** v. 13 BANK OF AMERICA, N.A., 14 Defendant. 15 In preparation for the October 11, 2012 Initial Case Management Conference ("CMC"), 16 17 defendant Bank of America N.A. ("Bank of America") filed a separate case management conference 18 statement. Bank of America's 10/5/2012 CMC Statement, ECF No. 22. In it, Bank of America 19 stated that it had not been able to get a hold of Plaintiffs' counsel for some time, either to discuss 20 settlement or to draft a joint CMC statement. Id. At roughly 9:30 p.m. on October 10, 2012 (the 21 night before the scheduled Initial CMC), Plaintiffs filed a CMC statement. Plaintiffs' 10/10/2012 22 CMC Statement, ECF No. 23. In it, Plaintiffs' counsel did not explain why they have not contacted 23 Bank of America's counsel, but they did say that they were having trouble contacting their clients. 24 Id.25 Neither of Plaintiffs' counsel appeared at the CMC the next day. Instead, another attorney, who 26 is not involved with this case, specially appeared on their behalf. At the CMC, to remedy the 27 breakdown in communication, the court stated that it would order Plaintiffs' counsel to appear 28 before the court to explain what has happened. Bank of America agreed with this process. C 12-00762 LB ORDER TO SHOW CAUSE

Accordingly, the court **ORDERS** Plaintiffs' counsel—both Mr. Lauro Nick Pacheco, Jr. and Mr. Hakop A. Kashishyan—to respond in writing, no later than October 25, 2012, and explain their efforts to contact their clients and their failure to communicate with Bank of America. Further, the court **ORDERS** both Mr. Pacheco and Mr. Kashishyan to appear before the court on November 1, 2012 at 11:00 a.m. to show cause why this case should not be dismissed for failure to prosecute and why they should not be sanctioned for their lack of participation in it. If Plaintiffs' counsel timely files their written response that adequately explains their conduct, the November 1, 2012 hearing will be converted from a show cause hearing to a Further CMC. Even if the hearing is converted to a Further CMC, Plaintiffs' counsel both shall appear at it in person.

IT IS SO ORDERED.

Dated: October 16, 2012

LAUREL BEELER

United States Magistrate Judge