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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LESTER TOM,
Plaintiff,
v.
UNITED AIRLINES, INC., et al.,
Defendants.

Case No. [15-cv-00466-VC](#)

ORDER TO SHOW CAUSE

Re: Dkt. No. 55

The Court is in receipt of the defendants' letter dated August 25, 2015 regarding the plaintiff's refusal to appear for his deposition as scheduled. The plaintiff, Lester Tom, is ordered to show cause why his case should not be terminated for failure to appear at his deposition. Fed. R. Civ. P. 37(d). In addition, counsel for the plaintiff, Dow Wakefield Patten and Spencer Freeman Smith, are ordered to show cause why they should not receive monetary sanctions and why they should not be referred to the Northern District of California's Standing Committee on Professional Conduct. The plaintiff and his attorneys must file a written response to this order to show cause by no later than August 31, 2015. This must include a declaration from the plaintiff in which he demonstrates that he is fully prepared to participate in the prosecution of his lawsuit. There will be a hearing on the order to show cause on September 10, 2015, at 10:00 a.m. The plaintiff is required to personally appear at this hearing and sit at counsel table with his attorneys. Both Mr. Patten and Mr. Smith are required to attend as well.

IT IS SO ORDERED.

Dated: August 27, 2015



VINCE CHHABRIA
United States District Judge