

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TERRELL,
Plaintiff,
v.
HARDER MECHANICAL CONTRACTORS
INC ET AL,
Defendants.

No. C-10-01080 CW (DMR)
**ORDER TO SHOW CAUSE RE
FAILURE TO COMPLY WITH
STANDING ORDER RE DISCOVERY
DISPUTES**

On June 9, 2011, the parties filed three letters regarding various discovery disputes. Two of the letters violated this Court’s Standing Order regarding discovery disputes as it appeared that the parties had not adequately engaged in thorough and meaningful meet and confer proceedings and the disputes were not submitted through the joint letter process as required by the Standing Order. [Docket Nos. 144 & 145.] On June 13, 2011, the Court issued an order directing the parties to engage in further meet and confer proceedings and submit any remaining dispute for resolution pursuant to the Court’s joint letter procedure by no later than June 23, 2011. The Court also explicitly stated that the parties’ continued failure to follow the Standing Order would result in sanctions. [Docket No. 147.]

Inexplicably, on June 23, 2011, Defendants Fluor Construction, Gene Arceneaux and Harder Mechanical Contractors, Inc. submitted two letters to the Court outlining discovery disputes, both of which did not comply with the Standing Order as they were submitted solely on behalf of

1 Defendants. [Docket Nos. 154 & 155.] Neither letter provided an explanation as to why a joint
2 letter was not possible, as required by the Standing Order. Plaintiff Linda Terrell filed responses to
3 both letters on June 27, 2011. [Docket Nos. 158 & 159.]

4 The issues presented in Defendants' second June 23, 2011 letter (Docket No. 155) are the
5 exact same issues presented in Defendants' June 9, 2011 letter (Docket No. 145), which the Court
6 rejected for noncompliance with the Standing Order. As to the disputes described in Defendants'
7 first June 23, 2011 letter (Docket No. 154), it again appears that the parties have not adequately
8 engaged in thorough and meaningful meet and confer proceedings regarding the issues presented, as
9 required by the Standing Order.

10 By no later than July 15, 2011, **each party** is separately ordered to show cause in writing
11 why sanctions for repeated failure to comply with court orders should not issue, including denial of
12 the requests for relief described in the June 23, 2011 letters and/or monetary sanctions. Each party's
13 brief shall not exceed five (5) pages, double-spaced.

14
15 IT IS SO ORDERED.

16 Dated: July 6, 2011

