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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

OS ENTERPRISE, LLC,  
Plaintiff,  
v.  
FAIRLINE DEVELOPMENT CANADA  
(1992) LTD., and others,  
Defendants.

Case No. 11-cv-04375 SBA (NC)

**ORDER VACATING  
SETTLEMENT CONFERENCE;  
AND PROVIDING NOTICE OF  
POSSIBLE DEFAULT AND  
SANCTIONS**

Re: Dkt. No. 198

On June 4, 2013, after the parties failed to appear for a settlement conference, the Court continued the settlement conference to July 3 and ordered the parties to take certain actions by June 26: (1) submit settlement conference statements; (2) show cause why clients and counsel should not be sanctioned for repeated failures to follow court orders; and (3) propose one or more charitable organizations as appropriate beneficiaries of a donation in place of a monetary sanction. Dkt. 34.

Plaintiff OS Enterprise responded as ordered, and established good cause for its prior errors. The OSC against OS Enterprise is therefore satisfied.

Defendant Fairline Development Canada, through its counsel Matthew D. Pearson, did not comply with the Court's order. Fairline filed nothing. Fairline's counsel also has not responded to an email and telephone message left for him by Court staff after he

1 failed to respond to the Court's order.

2 Under these circumstances, there is no reason to expect that Fairline or its counsel  
3 will be appearing at the July 3 settlement conference. The settlement conference is  
4 therefore VACATED.

5 The Order to Show Cause hearing against Fairline and its counsel remains on  
6 calendar July 3, 2013, at 1:00 p.m. in Courtroom A, 15th Floor, 450 Golden Gate, San  
7 Francisco. Counsel and client must show cause why they should not be sanctioned for  
8 repeated failures to follow court orders. Furthermore, Fairline must show cause why this  
9 Court should not recommend that a default be entered against it in this case.

10 IT IS ORDERED.

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12 Date: June 28, 2013

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14 NATHANAEL M. COUSINS  
15 United States Magistrate Judge  
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