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28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**YVETTE FELARCA, ET AL.,**

Plaintiffs,

v.

ROBERT J. BIRGENEAU, ET AL.,

Defendants.

Case No. 11-cv-05719-YGR

**ORDER RE: FAILURE TO PAY SANCTIONS
AND STRIKING OVER-LIMIT PAGES OF
BRIEF**

On August 11, 2015, the Court issued an Order To Show Cause (“OSC”) why it should not impose monetary sanctions of \$200.00 and/or strike all pages over 25 in Plaintiffs’ brief filed July 30, 2015 (Dkt. No. 458, correcting Dkt. No. 452).

After reviewing Plaintiffs’ response to the OSC, on August 19, 2015, this Court issued its Order Directing Plaintiffs’ Counsel to Pay Sanctions. (Dkt. No. 496.) Plaintiffs were ordered to pay \$200 in sanctions to the Court no later than September 4, 2015, due to their repeated failure to comply with Court rules and orders, and specifically for their filing of an over-length brief not in compliance with Civil Local Rules 7-4(b) and 7-11. The Court set a compliance hearing to confirm payment of the sanctions for Friday, September 11, 2015, at 9:01 a.m.

Plaintiffs failed to comply with the Court’s August 19, 2015, Order to pay sanctions. They likewise failed to appear at the compliance hearing on September 11, 2015.

When the Court issued its Order requiring Plaintiffs to pay sanctions, it considered it to be the most reasonable sanction to impress upon the Plaintiffs the obligation to follow the Court's rules without impacting the substance underlying the merits of the action. Plaintiffs have again


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chosen to ignore the Court's order. As a direct result of Plaintiffs' action, the Court is left with no alternative other than to impose the more severe, substantive sanction.

Accordingly, Plaintiffs are hereby on notice that unless the monetary sanctions are paid and received by Clerk's Office by the close of business on Monday, September 14, 2015, the Court shall strike all pages over 25 in Plaintiffs' brief filed July 30, 2015 (excepting the signature block).

IT IS SO ORDERED.

Dated: September 11, 2015


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT