

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOE HAND PROMOTIONS INC,

No. C-11-06334 CW (DMR)

Plaintiff(s),

**ORDER DENYING REQUEST TO
CONTINUE SETTLEMENT
CONFERENCE**

v.

REYES,

Defendant(s).

On June 24, 2013, Plaintiff Joe Hand Promotions, Inc. filed an *ex parte* application to continue the date of the settlement conference in this matter, currently scheduled for June 28, 2013, on the grounds that Plaintiff's representative is unable to appear at the settlement conference in person. [Docket No. 47.] In a letter attached to the application, Plaintiff's representative indicated that he is available to participate in the settlement conference by telephone.

Judge Wilken ordered the settlement conference in this matter to take place by no later than June 28, 2013, [Docket No. 45], and Plaintiff has been on notice of the date of the settlement conference since May 2, 2013. In the court's May 2, 2013 Notice of Settlement Conference and Settlement Conference Order, the court scheduled the settlement conference for June 28, 2013 and set out a procedure by which either party could notify the court of its unavailability on that date and request an alternative date. [Docket No. 46.] Plaintiff did not notify the court of its unavailability on June 28, 2013 within the allotted timeframe. In addition, the court's May 2, 2013 order requires

1 personal attendance by the parties. The court only grants permission to appear by telephone upon
2 submission of a timely written request that demonstrates extraordinary hardship. The court notes
3 that Plaintiff has been previously admonished for repeated failures to follow court directives, which
4 resulted in the court's dismissal of the case in December 2012. [Docket No. 39.]

5 Accordingly, Plaintiff's request to continue the settlement conference is DENIED. The
6 parties and counsel are ordered to appear in person on June 28, 2013 at 11:00 a.m. in accordance
7 with the court's May 2, 2013 order.

8
9 IT IS SO ORDERED.

10
11 Dated: June 25, 2013

