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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WESTERN NATIONAL LIFE INSURANCE
CO.,

Plaintiff,

vs.

ROMA WOLDEMARIAM, et al.,

Defendants.

Case No.: 11-cv-06668-YGR

**ORDER REGARDING DECLARATION OF
ROGER L. MEREDITH IN RESPONSE TO
UNFILED ORDER TO SHOW CAUSE**

The Court has reviewed the Declaration of Roger L. Meredith in Response to Unfiled Order to Show Cause (“Meredith Declaration”). (Dkt. No. 49.) The Court finds that the Meredith Declaration is minimally sufficient.

All counsel are on notice that to comply with the Court’s Standing Order in Civil Cases, any attorney appearing at a Case Management Conference must be sufficiently knowledgeable of his or her case and fully prepared to address matters listed in the Northern District CMC Order and Civil L.R. 16-10(b). Here, the attorney that appeared in place of Mr. Meredith was not and could not answer questions posed by the Court.

In addition, failure to follow motion practice rules is strictly enforced. An attorney has an independent obligation to check the docket for filings and case status, and to familiarize himself with the Local Rules. All attorneys have such continuing obligations until a substitution is approved. While Mr. Meredith characterizes the changes in the briefing schedule as being done *sua sponte*, the docket reflects that the pending motion for judgment on the pleadings was filed and re-noticed twice by Defendant Roma Woldemariam. The “change” in the opposition deadline appears to have been a correction by Defendant Woldemariam to reflect the proper opposition date under Local Rules. More

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importantly, and regardless of whether a deadline in ECF was improperly entered and subsequently corrected, counsel had an independent obligation to verify the opposition deadline under the Local Rules.

In light of the Meredith Declaration, the Court **VACATES** the Order to Show Cause hearing on January 7, 2013. No further action will be taken with respect to that Order. The Case Management Conference scheduled for January 7, 2013 is also **VACATED**.

The Court will separately approve the stipulated consent order regarding substitution of attorney.

IT IS SO ORDERED.

Dated: December 20, 2012


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE