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4 **UNITED STATES DISTRICT COURT**
5 **NORTHERN DISTRICT OF CALIFORNIA**
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10 **TONY PENNISI,**

11 **Plaintiff,**

12 **vs.**

13 **LINCOLN GENERAL INSURANCE COMPANY,**

14 **Defendant.**

Case No.: 12-CV-02695 YGR

**ORDER TO SHOW CAUSE; AND CONTINUING
CASE MANAGEMENT CONFERENCE TO
DECEMBER 17, 2012**

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16 The Court understands that Plaintiff's counsel has not made himself available to meet and
17 confer with defense counsel to develop a joint case management statement for the December 10,
18 2012 Case Management Conference. The Court also understands that Plaintiff has not responded to
19 Defendant's discovery requests; nor has Plaintiff's counsel responded to Defendant's "meet and
20 confer" letter regarding those discovery requests.

21 Plaintiff is **ORDERED TO SHOW CAUSE** why Plaintiff and/or Plaintiff's counsel should not be
22 sanctioned for failure to file a Case Management Statement.

23 A hearing on this Order to Show Cause will be held on **Friday, December 21, 2012** on the
24 Court's **9:01a.m.** Calendar, in the Federal Courthouse, 1301 Clay Street, Oakland, California, in
25 Courtroom 5.


26 By no later than **December 14, 2012**, counsel for Plaintiff shall file a written response to this
27 Order to Show Cause why Plaintiff should not be sanctioned for failure to file a joint case
28 management statement. Plaintiff shall also update the Court on the status of his discovery obligations

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and Rule 26 disclosures. If the Court is satisfied with Plaintiff's written response, counsel for Plaintiff need not appear and the hearing will be taken off calendar. Otherwise, counsel for Plaintiff must personally appear at the hearing. Neither a special appearance nor a telephonic appearance will be permitted. Failure to file a written response or to appear personally will be deemed an admission that no good cause exists and that the imposition of monetary sanctions is appropriate.

The Case Management Conference set for December 10, 2012 is **CONTINUED to December 17, 2012.**

IT IS SO ORDERED.
Date: December 5, 2012


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE