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United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SUNIL PRASAD,
Plaintiff,
v.
WELLS FARGO HOME MORTGAGE,
Defendant.

Case No.16-cv-04941-YGR

**FURTHER ORDER TO SHOW CAUSE RE:
SANCTIONS ON PLAINTIFF’S COUNSEL;
ORDER TO MEET AND CONFER AND
SETTING COMPLIANCE HEARING AND
STATUS REPORT DEADLINE**

The Court issues this **FURTHER ORDER TO SHOW CAUSE** why plaintiff’s counsel Erickson M. Davis should not be required to pay monetary sanctions in the amount of \$574.32 to defendant’s counsel Viddell Lee Heard.

On November 29, 2016, the Court issued an Order to Show Cause (Dkt. No. 23) why the parties should not be sanctioned for their failure to file timely either their joint case management statement, or the joint statement regarding the status of ADR efforts as ordered by the Court on November 10, 2016. In that Order to Show Cause, the Court noted that Plaintiff had failed to comply with a Court order previously and been subject to an order to show cause regarding sanctions, which the Court subsequently vacated based upon plaintiff’s counsel’s explanation and apology. The Order to Show Cause directed the parties to file a joint case management statement and a written response to the Order to Show Cause no later than December 2, 2016. The Court noted that it would only take the Monday, December 12, 2016 hearing off calendar if it was satisfied with the responses, and that otherwise lead trial counsel would be required to appear at the hearing. Finally, the Order to Show Cause stated that failure to comply would be deemed an admission that

1 monetary sanctions should be imposed.

2 Plaintiff's counsel did not file a response to the Order to Show cause by December 2, 2016.
3 Counsel failed to do so despite a reminder from defendant's counsel on December 1 that such a
4 response was required by December 2. (See Declaration of Videll Lee Heard, Dkt. No. 24, at ¶5.)
5 Plaintiff filed no response to the Order to Show Cause until December 8, 2016. (Dkt. No. 29.)
6 Further, Plaintiff's counsel failed to appear at the case management conference and hearing on the
7 Order to Show Cause on December 13, 2016.

8 The Court intends to sanction plaintiff's counsel in the amount of **\$574.32** to compensate to
9 Videll Lee Heard, counsel for defendant Wells Fargo Bank, N.A., for his expenses to appear on
10 December 12, 2016. Plaintiff's counsel shall file a written statement responding to this Further
11 Order to Show Cause no later than **December 22, 2016**.


12 **OTHER ORDERS**

13 Plaintiff's counsel is further **ORDERED** to meet and confer with defendant's counsel in person
14 at defense counsel's office no later than **January 13, 2017**.

15 The Court **SETS** this matter for a compliance hearing on **Friday, January 27, 2017, at 9:01**
16 **a.m.** The parties' shall file a joint status report on their meet and confer efforts no later than
17 **January 20, 2017**. If the statement is filed timely, the compliance hearing will be taken off
18 calendar.

19 **IT IS SO ORDERED.**

20 Dated: December 16, 2016

21 
22 **YVONNE GONZALEZ ROGERS**
23 **UNITED STATES DISTRICT COURT JUDGE**

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