

United States District Court
For the Northern District of California

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
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JUAN CARLOS CUELLAR, ET AL.,)

Plaintiffs,)

v.)

ANTHONY FIDEL ALAMILLO, ET AL.,)

Defendants.)

Case No.: C 09-4047 PSG

**ORDER GRANTING MOTION TO
WITHDRAW AS ATTORNEY OF
RECORD; REQUIRING
DEFENDANTS TO SHOW CAUSE
WHY THE ANSWER SHOULD NOT
BE STRICKEN AND DEFAULT
ENTERED; REQUIRING
PLAINTIFFS JOSE GARCIA AND
JORGE CALDERON TO SHOW
CAUSE WHY THEIR CLAIMS
SHOULD NOT BE DISMISSED; AND
VACATING TRIAL DATE**

(Re: Docket No. 67)

On June 21, 2011, the parties appeared for a pretrial conference. Pursuant to this court's standing orders, no later than June 7, 2011, the parties were required to file trial briefs, any Motions *in Limine*, deposition transcripts and any other discovery responses that will be entered as evidence, proposed findings of fact and conclusions of law, and a joint pretrial statement. Plaintiffs Juan Carlos Cuellar, Jorge Alegria, and Ismael Calderon filed the required materials. Plaintiff Jose Alberto Garcia ("Garcia"), Plaintiff Jorge Calderon ("Calderon"), and Defendants failed to file any of the aforementioned documents. On June 21, 2011, counsel for Defendants H. Paul Bryant ("Bryant") moved to withdraw as attorney of record.

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
28


IT IS HEREBY ORDERED that, based on Bryant’s motion to withdraw, the discussion at the pretrial conference with Defendants, and Defendants’ consent to Bryant’s withdrawal, Bryant’s motion to withdraw as attorney of record is GRANTED.

IT IS FURTHER ORDERED that Garcia and Calderon or their counsel shall appear before the court on Tuesday, June 28, 2011 at 2 p.m. to show cause why the complaint should not be dismissed as to their claims based on their failure to submit any of the final pretrial filings required by this court’s standing order.

IT IS FURTHER ORDERED that Defendants or their counsel shall appear before the court on Tuesday, June 28, 2011 at 2 p.m. to show cause why the answer should not be stricken and default entered based on their failure to submit any of the final pretrial filings required by this court’s standing order.

IT IS FURTHER ORDERED that the trial date is vacated.

Dated: June 22, 2011



PAUL S. GREWAL
United States Magistrate Judge