

1 *E-FILED: May 21, 2013*

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5 NOT FOR CITATION
6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA
8 SAN JOSE DIVISION

9 GRACIELA PENA,

No. C12-05957 HRL

10 Plaintiff,

**ORDER TO SHOW CAUSE RE:
SANCTIONS AND ORDER
CONTINUING INITIAL CASE
MANAGEMENT CONFERENCE**

11 v.

12 NICOLAS ESPINOZA dba TIJUANA
RESTAURANT; TIJUANA RESTAURANT.

13 Defendants.
14 _____/

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16 Counsel for both parties having failed to appear for the Initial Case Management
17 Conference, the Court issued an Order to Show Cause Re: Sanctions and continued the Initial Case
18 Management Conference to May 21, 2013. Counsel for plaintiff appeared at the Order to Show
19 Cause hearing, but counsel for defendants failed to show again. The Order to Show Cause is
20 discharged as to counsel for plaintiff, and he is sanctioned in the amount of \$200, payable to the
21 Clerk of the Court, for his failure to appear at the first-scheduled Initial Case Management
22 Conference. The Initial Case Management Conference, and the Order to Show Cause Re: Sanctions
23 against counsel for defendants, is continued to **June 4, 2013 at 1:30 pm** in Courtroom 2, Fifth
24 Floor, 280 South First St., San Jose CA 95113. All parties shall appear for the rescheduled Initial
25 Case Management Conference and counsel for defendants should be prepared to show cause, if any,
26 why he should not be sanctioned for his failure to appear at the previously scheduled Case
27 Management Conferences and the hearing on the Order to Show Cause. The parties shall file an
28 updated Joint Case Management Conference Statement, and counsel for defendants shall file a
separate statement in response to this Order to Show Cause, no later than **May 28, 2013**. The

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statement in response to this Order to Show Cause shall provide the reason that counsel failed to appear for the May 7, 2013 Initial Case Management Conference, the rescheduled May 21, 2013 Initial Case Management Conference, and the May 21 hearing on the Order to Show Cause.

IT IS SO ORDERED.

Dated: May 21, 2013



HOWARD R. LLOYD
UNITED STATES MAGISTRATE JUDGE

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C 12-05957 HRL Order will be electronically mailed to:
James Dal Bon jdblawn@earthlink.net, jdb@wagedefenders.com, mh@wagedefenders.com
Sidney Carl Flores floreslawfirm@yahoo.com
Counsel are responsible for distributing copies of this document to co-counsel who have not registered for e-filing under the court's CM/ECF program.