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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

BRENT KIDECKEL,  
  
Plaintiff,  
  
v.  
  
WELLS FARGO BANK, N.A.,  
  
Defendant.

Case No.: 20-cv-00681-DMS (JLB)  
  
**ORDER RE SHOW CAUSE  
HEARING**  
  
**[ECF Nos. 31, 38]**

Plaintiff has repeatedly violated the Court’s orders and Civil Chambers Rules regarding e-mail communications with the Court despite the Court warning Plaintiff on multiple occasions that e-mails to chambers are not permitted except as authorized by court order or by the Court’s local or chambers rules. (See ECF Nos. 23; 26; 27.) On December 15, 2020, the Court issued an Order to Show Cause for why sanctions should not issue for Plaintiff’s repeated violations and set a telephonic show cause hearing for January 5, 2021. (ECF No. 31.) Plaintiff did not *file* any response to the Court’s Order to Show Cause and failed to appear at the telephonic show cause hearing. (ECF No. 38.) Instead, Plaintiff sent *yet another* unauthorized e-mail to the Court’s e-file address

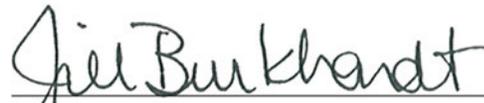
1 attaching a motion to dismiss. (ECF No. 35; 36.)<sup>1</sup> Accordingly, Plaintiff is in violation of  
2 the Court's December 15, 2020 Order.

3 The Court previously sanctioned Plaintiff \$75 for his failure to appear at the  
4 December 1, 2020 Mandatory Settlement Conference scheduled in this action. (ECF No.  
5 33.) Plaintiff must pay the monetary sanction on or before January 15, 2021 or face  
6 additional sanctions. (*Id.* at 3.) The Court subsequently reset the Mandatory Settlement  
7 Conference for January 14, 2021. (ECF No. 34.) In its order resetting the Mandatory  
8 Settlement Conference, the Court put Plaintiff on notice that any failure to appear at the  
9 conference or comply with any aspect of the Court's order resetting the conference will  
10 result in the recommendation of terminating sanctions. (*Id.* at 1.)

11 Given the multitude of outstanding issues before the Court, the Court holds in  
12 abeyance at this time its determination of the appropriate sanction for Plaintiff's violation  
13 of the Court's December 15, 2020 Order.

14 **IT IS SO ORDERED.**

15 Dated: January 6, 2021

16   
17 Hon. Jill L. Burkhardt  
18 United States Magistrate Judge  
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26 <sup>1</sup> Although not required to do so, the Court forwarded the motion to dismiss to  
27 the Clerk's Office for filing. (ECF No. 35.) As the Court advised Plaintiff in its minute  
28 order forwarding such motion: "Any future pleadings must be filed with the Clerk's Office,  
in person, by mail, or using CM/ECF, in accordance with court rules and procedures. Any  
questions about how to file by mail should be directed to the Clerk's Office." (*Id.*)