

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

JOSE DIAZ CERDA,

Plaintiff,

v.

Case No. 19-1111-JWB

CILLESSEN & SONS, INC.,

Defendant.

ORDERTO SHOW CAUSE

In an order entered August 5, 2020, the undersigned U.S. Magistrate Judge, James P. O’Hara, granted defendant’s motion to sanction plaintiff’s counsel, Trinidad Galdean, based on his conduct during two recent depositions (ECF No. 74). The court ordered Mr. Galdean to reimburse defendant for its costs associated with the depositions and briefing the motion for sanctions. Plaintiff was ordered to “remit this payment to defendant by **August 26, 2020**, and promptly file a certificate confirming said payment.”¹

Plaintiff has not filed a certificate confirming payment of the sanction—which was due more than two weeks ago. On September 4, 2020, the undersigned’s law clerk sent Mr. Galdean a courtesy e-mail (copying defense counsel), reminding him of the

¹ ECF No. 74 at 15 (emphasis in original). The court directed the parties to attempt to reach agreement on the amount to be paid, but set deadlines for briefing the issue should agreement not be reached. *Id.* The deadlines have passed without submission, so presumably the parties have reached agreement as to amount.

certification-filing requirement. She directed him to “file the certificate forthwith.” Mr. Galdean neither filed the certificate, nor even bothered to respond to the e-mail.

IT IS THEREFORE ORDERED that Mr. Galdean shall show cause in writing, no later than **September 17, 2020**, why further sanctions should not be issued against him for failing to comply with the court’s order.²

Dated September 10, 2020, at Kansas City, Kansas.

s/ James P. O’Hara

James P. O’Hara
U.S. Magistrate Judge

² See Fed. R. Civ. P. 16(f) (permitting imposition of sanctions for failure to obey a pretrial order).