

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	
TINA MARIE MENTEN,	)	
	)	
<u>Plaintiffs,</u>	)	
	)	
v.	)	Civil Action No. 09-cv-11545-LTS
	)	
STARBUCKS CORP.,	)	
	)	
<u>Defendant.</u>	)	
_____	)	

ORDER

January 18, 2011

SOROKIN, M.J.

The Defendant has moved for sanctions arising, inter alia, out of the Plaintiff's failure to appear for her scheduled deposition. Docket # 23. The Plaintiff opposes the motion. Docket # 28. In the opposition, the Plaintiff's counsel indicates that he had no advance knowledge of the Plaintiff's failure to appear at her deposition or of the reasons giving rise to her failure to appear. Docket # 29 at 2-3.

The Court will hold a hearing on the Motion for Sanctions on February 3, 2011, at 3:00 p.m. in Courtroom # 24. **It is ORDERED that the Plaintiff shall appear personally, along with Counsel for both Parties. It is further ORDERED that the Plaintiff's counsel shall serve a copy of this Order upon the Plaintiff: (1) by email, if applicable; (2) by regular mail, postage pre-paid to her residence; and (3) by certified mail to the same address, return receipt requested. In addition, the Plaintiff's counsel shall notify the Plaintiff of this**

hearing by telephone or voicemail message. **If the Plaintiff fails to appear for this hearing, the Court may dismiss her case pursuant to Fed. R. Civ. P. 41(b) for failing to comply with an Order of the Court and for failing to prosecute her claim.**

SO ORDERED.

/s / Leo T. Sorokin  
UNITED STATES MAGISTRATE JUDGE