

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION

RICHARD E. SHREVES,

Plaintiff,

vs.

MICHAEL FLETCHER,

Defendant.

CV 18-97-H-DLC

ORDER

Before the Court is Defendant's Response to Order to Show Cause. (Doc. 289.) The response explains that counsel for Defendant began attempting to schedule the parties' pretrial conference on January 11 but ultimately was unable to schedule the conference for the week of January 9 as required by the Court's scheduling order. (*Id.* at 2-3.) The parties were able to confer on January 17, and they anticipate finalizing the pretrial order, proposed jury instructions, and witness and exhibit lists by the existing January 23 deadline. (*Id.* at 3.) Defendant's counsel has apologized and accepted responsibility for not arranging the conference earlier in the week of January 9. (*Id.* at 4.) The Court appreciates counsel's prompt response and candor and finds that, in light of counsel's efforts to comply with the Court's deadline, the impact of communication issues beyond the

parties' control, and the parties' commitment to comply with pending associated deadlines, sanctions are not warranted at this time.

Accordingly, IT IS ORDERED that the Court's order to show cause (Doc. 288) is DISCHARGED and Shreves' motion for sanctions (Doc. 286) is DENIED.

DATED this 19th day of January, 2023.



Dana L. Christensen, District Judge
United States District Court