

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JONATHAN BAILEY MILLIGAN,

Case No. C17-5036-RAJ-JPD

Plaintiff,

ORDER DIRECTING PLAINTIFF'S
COUNSEL TO APPEAR FOR SHOW
CAUSE HEARING

V.

NANCY A. BERRYHILL, Acting
Commissioner of Social Security,

Defendant.

Plaintiff, proceeding with counsel, filed a complaint against the Commissioner of the Social Security Administration on January 19, 2017. Dkt. 1. However, the Court sealed the complaint because it contained personal data identifiers that should have been redacted in full and also failed to comply with the local rules of this district regarding formatting and proper margins. Dkt. 4. When plaintiff failed to re-file an amended complaint by the deadline set by the Court, the Court issued an Order to Show Cause why the case should not be dismissed for failure to prosecute and why the Court should not schedule a hearing to discuss plaintiff's counsel's failure to comply with the Court's prior Order and the local rules of the district. Dkt. 5. In response, plaintiff's counsel assured the Court that she has "never missed a Court

ORDER
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1 imposed deadline before, and will make all efforts possible to ensure this does not happen
2 again.” Dkt. 7 (Rood Decl.) at ¶ 9.¹

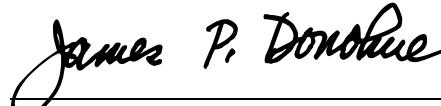
3 Despite plaintiff’s assertion that she would take steps to ensure that she did not miss
4 any further deadlines, plaintiff’s counsel has failed to file an opening brief in this matter, which
5 was due by no later than September 12, 2017. Dkt. 19. Plaintiff’s counsel also did not request
6 an extension of time. Accordingly, the Court ORDERS as follows:

7 (1) Plaintiff’s counsel, Karla Elizabeth Rood, is hereby ORDERED to appear in
8 person at the U.S. District Court in Seattle in courtroom 12A on **Thursday, September 28,**
9 **2017 at 10 a.m.** to SHOW CAUSE why she should not be sanctioned \$150 for failing to
10 comply with the deadlines set by the Court and the local rules of this district. Plaintiff and
11 counsel for defendant are invited, but not required, to attend the hearing.

12 (2) Plaintiff shall file her opening brief by no later than **Thursday, September 21,**
13 **2017.** Defendant’s response brief shall be due no later than **October 19, 2017.** Plaintiff’s
14 optional reply brief is due by no later than **November 2, 2017.**

15 (3) The Clerk is directed to send a copy of this Order to counsel for all parties.

16 DATED this 14th day of September, 2017.

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19 JAMES P. DONOHUE
20 Chief United States Magistrate Judge
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¹ The Court notes that Ms. Rood did, in fact, fail to timely file the opening brief in
26 *Kissner v. Astrue*, C11-5878-RAJ-JPD, prompting the undersigned to issue an Order to Show
in that case. Ms. Rood was employed as an associate by a different law firm in Tacoma at the
time.