

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

NEW SENSATIONS, INC., a	)	
California corporation,	)	2:12-cv-01885-GEB-EFB
	)	
Plaintiff,	)	
	)	<u>ORDER TO SHOW CAUSE AND</u>
v.	)	<u>CONTINUING STATUS (PRETRIAL</u>
	)	<u>SCHEDULING) CONFERENCE</u>
DOES 1-306, inclusive,	)	
	)	
Defendants.	)	
_____	)	

The October 22, 2012 Minute Order rescheduled the Setting Status (Pretrial Scheduling) Conference to February 11, 2013, and required the parties to file a joint status report no later than fourteen (14) days prior to the scheduling conference. (ECF No. 9.) No status report was filed as ordered.

Therefore, Plaintiff is Ordered to Show Cause ("OSC") in a writing to be filed no later than February 11, 2013, why sanctions should not be imposed against it and/or its counsel under Rule 16(f) of the Federal Rules of Civil Procedure for failure to file a timely status report. The written response shall also state whether Plaintiff or its counsel is at fault, and whether a hearing is requested on the OSC.<sup>1</sup> If

---

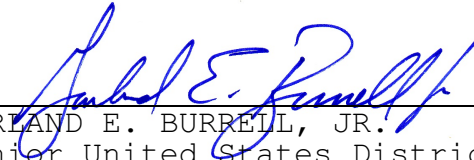
<sup>1</sup> "If the fault lies with the attorney, that is where the impact of sanction should be lodged. If the fault lies with the clients, that is where the impact of the sanction should be lodged." Matter of Sanction of Baker, 744 F.2d 1438, 1442 (10th Cir. 1984), cert. denied, 471 U.S. 1014 (1985). Sometimes the faults of attorneys, and their

(continued...)

1 a hearing is requested, it will be held on March 4, 2013, at 9:00 a.m.,  
2 just prior to the status conference, which is rescheduled to that date  
3 and time. A status report shall be filed no later than fourteen (14)  
4 days prior to the status conference.

5 IT IS SO ORDERED.

6 Dated: February 7, 2013

7  
8   
9 \_\_\_\_\_  
GARLAND E. BURRELL, JR.  
Senior United States District Judge

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27 \_\_\_\_\_  
28 <sup>1</sup>(...continued)  
consequences, are visited upon clients. In re Hill, 775 F.2d 1385, 1387  
(9th Cir. 1985).