

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

SEBASTIAN NJANG, <i>et al.</i>)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 12-CV-0153(KBJ)
)	
THE WHITESTONE GROUP INC.,)	
)	
Defendant.)	
)	
)	

ORDER IMPOSING SANCTIONS

On April 30, 2013, the Court issued an order directing the parties to appear at a post-discovery, pre-motion status conference before the Court on July 2, 2013, at 10:00 AM. Plaintiffs’ counsel failed to appear at that time. Defendant’s counsel orally represented to the Court that Plaintiffs’ counsel had also failed to appear at the most recent previous hearing in this case, which a different judge had scheduled on June 25, 2012. In light of Plaintiffs’ counsel’s repeated failure to appear at mandatory hearings, on July 3, 2013, the Court issued an Order to Show Cause why sanctions should not be entered against Plaintiff’s counsel pursuant to Fed. R. Civ. P. 16(f). (ECF No. 10.) Defendant subsequently filed its own Motion for Sanctions, asking the Court to dismiss the case pursuant to Fed R. Civ. P. 41(b), and to order Plaintiff to pay Defendant’s attorney’s fees and costs associated with the July 2, 2013 hearing. (ECF No. 13.)

Plaintiffs’ counsel responded to the Order to Show cause on July 15, 2013. (ECF No. 12.) Plaintiffs’ counsel’s response stated that he could not “offer any good

explanation for missing the conference.” *Id.* at 1. Plaintiffs’ counsel also filed a separate memorandum in response to Defendant’s Motion for Sanctions, arguing that dismissal is too harsh a sanction for the Court to impose in these circumstances, but providing no arguments as to why attorney’s fees and costs should not be assessed against him. (ECF No. 14.)

Having read and considered the documents described above, it is hereby **ORDERED** that,

pursuant to Fed. R. Civ. P. 16(f)(2), Plaintiffs’ counsel shall deliver payment to Defendant’s counsel in the amount of \$1,062.96 to reimburse Defendant’s counsel for travel expenses incurred in connection with the July 2, 2013, hearing at which Plaintiffs’ counsel failed to appear. Plaintiffs’ counsel shall pay the foregoing amount **no later than August 23, 2013**. As requested in the Defendant’s counsel’s proposed order, payment shall be made by check payable to the order of Vorys, Sater, Seymour and Pease, LLP. Failure to comply with this order shall result in the imposition of additional sanctions.

Date: August 2, 2013

Ketanji Brown Jackson
KETANJI BROWN JACKSON
United States District Judge