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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

RIGHTHAVEN LLC, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 THOMAS A. DIBIASE, )  
 )  
 Defendant. )  
 \_\_\_\_\_ )

Case No. 2:10-cv-01343-RLH-PAL

**ORDER**

Before the court is a Proposed Order (Dkt. #109) submitted by counsel for Defendant and Counterclaimant Thomas A. DiBiase (“DiBiase”). The proposed order requests a finding of contempt of court imposing monetary sanctions for Plaintiff Righthaven, LLC’s failure to respond to the court’s Order to Show Cause (Dkt. #107). Also before the court is Non-Party Steven A. Gibson’s pro per Opposition (Dkt. #110), Declaration of Steven A. Gibson (Dkt. #111), and DiBiase’s Reply (Dkt. #112). Because the proposed order does not appear on the court’s docket as an undecided motion, this matter “fell through the proverbial cracks” and has not been decided.

These proceedings have been multiplied and delayed because attorney Shawn Mangano, counsel for Righthaven, LLC, has not responded to orders and orders to show cause issued by this court. Multiple proceedings have been conducted to obtain compliance with a routine judgment debtor examination in this closed case. The court was recently advised in an unrelated matter, that Mr. Mangano was behind in his professional obligations as a result of family health matters. The court will therefore afford Mr. Mangano one **final** opportunity to respond to the Order to Show Cause (Dkt. #107) and appear for a hearing to obtain compliance with Righthaven’s judgment debtor examination obligations.

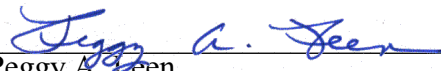
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**IT IS ORDERED** that:

1. A hearing is set for **October 16, 2012, at 11:00 a.m.**, in Courtroom 3B, on DiBiase's Proposed Order for Contempt Sanctions.
2. Attorney Shawn Mangano shall have until **October 2, 2012**, to file a response to the Order to Show Cause (Dkt. #107) and Proposed Order (Dkt. #109).
3. Attorney Shawn Mangano shall appear at the hearing. **Failure to appear at the hearing will result in an order directed to the U.S. Marshal's office to find and bring Mr. Mangano before the court.**
4. Failure to respond to this order by Mr. Mangano may result in sanctions, including contempt of court against Mr. Mangano.

Dated this 17<sup>th</sup> day of September, 2012.

  
\_\_\_\_\_  
Peggy A. Zeen  
United States Magistrate Judge