

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

IGOR MALENKO,)	
)	
Plaintiff,)	
)	
v.)	Docket no. 2:11-cv-250-GZS
)	
LORI HANDRAHAN,)	
)	
Defendant.)	

ORDER TO SHOW CAUSE

On June 13, 2012 at 3 p.m., this Court held its final pretrial conference in this matter. Pursuant to the Court's May 11, 2012 Procedural Order (ECF No. 40), Defendant was required to appear in person at this conference but she failed to do so.

The Court notes that Defendant assumed *pro se* status on May 11, 2012. In fact, Defendant has been on notice since March that she needed to obtain new counsel to represent her in this case but she has failed to do so. In its prior Orders (ECF Nos. 22, 29 & 40), the Court has provided Defendant with ample warnings that failure to appear and comply with the Court's orders will result in forfeiture of her rights to be heard as well as other sanctions, including the entry of default.

In short, Defendant has repeatedly failed to appear in this case and it appears that she has no intention of appearing at trial.¹

Defendant is hereby ORDERED TO SHOW GOOD CAUSE why default should not be

¹ In fact, the record shows that Dr. Handrahan has also failed to make multiple appearances in her related litigation in state court. (See May 4, 2012 Order of Portland District Court (ECF No. 36) at 1 n. 3.) In Dr. Handrahan's only indirect written communication with this Court (5/11/12 Hearing Def. Ex. 1), she has indicated that she will not appear in Maine because of her perceived fears of Attorney Waxman. The Court does not find that these perceived fears form an adequate or reasonable basis for Defendant's failure to appear and defend.

entered in this case as a sanction for her failure to comply with the Court's prior orders and her failure to defend. Any response to this Order shall be filed in writing no later than the close of business on June 25, 2012. Absent a finding of good cause, the Court will direct the entry of default against Defendant pursuant to Federal Rules of Civil Procedure 16(f) and 55(a). Thereafter, this matter will proceed to a damages hearing in lieu of a trial.

SO ORDERED.

/s/ George Z. Singal
United States District Judge

Dated this 13th day of June, 2012.

IGOR MALENKO
*Individually and obo MM, a minor
child*

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V.

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