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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

GORDON SIU,  
  
Plaintiff,  
  
v.  
  
UNITED STATES DEPARTMENT OF  
VETERANS AFFAIRS,  
  
Defendant.

Case No.: 21-CV-1110 TWR (MDD)

**ORDER FOR DEFENDANT TO  
SHOW CAUSE WHY IT SHOULD  
NOT BE HELD IN CONTEMPT FOR  
FAILING TO COMPLY WITH THE  
COURT’S MAY 10, 2022 ORDER**

(ECF No. 36)

Presently before the Court is Plaintiff Gordon Siu’s Application for Order to Show Cause Why Defendant Should Not Be Held in Contempt for Failure to Comply with the Court’s Order (“App.,” ECF No. 36), in which Plaintiff requests that the Court order Defendant the United States Department of Veterans Affairs to show cause why it should not be held in contempt for failing to pay the \$462.73 that the Court awarded Plaintiff in costs in its May 10, 2022 Order Granting Joint Motion to for Order Dismissing Case with Prejudice. (*See generally* ECF No. 34 (the “Underlying Order”).) Also before the Court is Defendant’s Notice of Intent to Oppose the Application (ECF No. 37), in which Defendant indicates its intention to file an opposition on August 2, 2023.

The Court believes that it would be most expeditious at this time to dispense with further briefing and to hear from the Parties themselves. Further, based on the Application,

1 Plaintiff appears to have met his burden of establishing, by clear and convincing evidence,  
2 that Defendant violated the Underlying Order beyond substantial compliance and not based  
3 on a good faith and reasonable interpretation of the Underlying Order. *See United States*  
4 *v. Bright*, 596 F.3d 683, 694 (9th Cir. 2010). Accordingly, the Court **ORDERS** Defendant  
5 to **SHOW CAUSE** why it should not be held in contempt at 1:30 p.m. on Thursday,  
6 August 17, 2023, in Courtroom 3A. Although Plaintiff requests that the Court order a  
7 senior official of Defendant possessing authority to cause compliance with the Underlying  
8 Order to attend, the Court believes that requiring counsel to appear will suffice at this time.  
9 *The Court will vacate the hearing and discharge this Order to Show Cause if Defendant*  
10 *files proof of payment to Plaintiff of the full \$462.73 owed to him before close of business*  
11 *on Wednesday, August 16, 2023.*

12 **IT IS SO ORDERED.**

13 Dated: July 31, 2023

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15 Honorable Todd W. Robinson  
16 United States District Judge  
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