

FEB 22 2013

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

In re: MAUREEN C. REDMOND; JOHN
A. REDMOND,

Debtors,

JOHN A. REDMOND; MAUREEN C.
REDMOND,

Appellants,

v.

SULPHUR MOUNTAIN LAND AND
LIVESTOCK CO., LLC,

Appellee.

No. 11-55827

D.C. No. 2:10-cv-02552-CJC

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Cormac J. Carney, District Judge, Presiding

Argued and Submitted February 15, 2013
Pasadena, California

* This disposition is not appropriate for publication and is not precedent
except as provided by 9th Cir. R. 36-3.

Before: BERZON and WATFORD, Circuit Judges, and RAKOFF, Senior District Judge.**

John and Maureen Redmond appeal from the district court's order affirming a decision by the bankruptcy court to issue terminating sanctions and enter judgment against them. The bankruptcy court put the Redmonds on notice that failure to comply with its October 27, 2009, order granting Sulphur Mountain's motion to compel would result in terminating sanctions. The Redmonds thereafter failed to produce all responsive documents by the court-ordered deadline, redacted others without court approval, and refused to answer questions at their depositions without having been so instructed by their counsel. The court's decision to issue terminating sanctions based on this conduct, combined with the Redmonds' long history of discovery obstruction and repeated failures to comply with prior court orders, was not an abuse of discretion. *See Conn. General Life Ins. Co. v. New Images of Beverly Hills*, 482 F.3d 1091, 1096 (9th Cir. 2007). Although the Redmonds challenge several aspects of the October 27, 2009, order, they have identified no error that would undermine the validity of the court's decision to issue terminating sanctions.

AFFIRMED.

** The Honorable Jed S. Rakoff, Senior United States District Judge for the Southern District of New York, sitting by designation.