

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

<b>Case No.</b>	CV 16-7877 GW (MRWx)	<b>Date</b>	November 9, 2017
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<b>Title</b>	Anderson Boneless Beef v. Value Meat
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<b>Present: The Honorable</b>	Michael R. Wilner
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Veronica Piper	n/a
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Deputy Clerk	Court Reporter / Recorder
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Attorneys Present for Plaintiff / Petitioner:	Attorneys Present for Defendant / Respondent:
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None present	None present
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**Proceedings:** ORDER TO SHOW CAUSE

1. Defendants moved to compel Plaintiff to produce witnesses and materials at depositions. (Docket # 50.) Although the discovery dispute appears to have been festering for several months, Defendants filed the motion on November 8, 2017, with a noticed hearing date of December 6. That's a month and a half after the discovery cutoff that District Judge Wu set for October 20. (Docket # 43.)

2. Like the vast majority of district and magistrate judges of this Court, Judge Wu does not permit parties to pursue discovery motions after the cut-off. In his Standing Order for civil cases, Judge Wu states that discovery disputes "should have already been decided before the close of discovery" and are not appropriately pursued after that or in the guise of motions in limine. (Docket # 15 at 6 n.5.) Judge Wu confirmed this understanding several years ago when, after the Court declared a similar post-cut-off motion to be untimely, the district judge denied review "for the reasons stated in Judge Wilner's Order." See Pentair Water Pool and Spa v. Hayward Industries, CV 11-10280 GW (MRWx) (C.D. Cal.) (Docket # 170, 180).

3. Therefore, Defendants are ordered to show cause why the motion should not be summarily denied as untimely. The Court will conduct a hearing on November 16 at 10 a.m. (telephone appearances are OK for both sides) to discuss the OSC.

4. At the same time, the Court is aware that Plaintiff's attorney – already engaged in a significant dispute regarding the depositions – failed to comply with the mandatory joint filing procedure for discovery motions in our district. (Docket # 50-1 at 5.) Regardless of the timeliness of Defendants' motion, Plaintiff was obliged under Local Rule 37 to participate in that process.

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5. Plaintiff is ordered to show cause why sanctions should not be imposed pursuant to Local Rule 37-4. The Court will also take this issue up at the November 16 hearing.

6. Either side may submit written statements (not to exceed five pages) responsive to this order by noon on November 15.