

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. EDCV 13-2329-AB (AGRx) Date August 7, 2015

Title Leo Harris v. CVS Pharmacy, Inc., et al.

Present: The Honorable Alicia G. Rosenberg, United States Magistrate Judge

Marine Pogosyan

None

None

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiff

Attorneys Present for Defendants

Proceedings: RE ORDER TO SHOW CAUSE

On August 6, 2015, District Judge Birotte granted Defendant CVS Pharmacy's motion to dismiss the underlying action without prejudice for lack of subject matter jurisdiction. *Harris v. CVS Pharmacy, Inc.*, EDCV 13-2329 AB (AGRx).

This case was transferred to this court pursuant to Fed. R. Civ. P. 45 upon Plaintiff's motion to compel further responses to a subpoena issued to Lang Pharma Nutrition in the underlying action, *Harris v. CVS Pharmacy, Inc.*, EDCV 13-2329 AB (AGRx). (Exh. 1 to Fitzgerald Decl., Dkt. No. 3-1.)

There are two motions pending: (1) second motion for review of disputed claim of privilege (Dkt. No. 69); and (2) ex parte application to compel deposition of Lang Pharma and related relief (Dkt. No. 71). Both motions have related motions to seal various materials.

In light of the District Judge's dismissal of the underlying action, IT IS HEREBY ORDERED that:

1. The hearing date of August 11, 2015 on the two motions listed above is VACATED.
2. Counsel for Plaintiff and Defendant are ordered to show cause, on or before August 14, 2015, why this case should not be closed without prejudice to Plaintiff's ability to bring the two motions in the court that will hear the underlying action.

Initials of Preparer mp