

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
CIVIL MINUTES—GENERAL

Case No. **EDCV 18-1274-AB (KKx)**

Date: April 1, 2019

Title: *Daniel Lopez v. James M. Scully, et al.*Present: The Honorable **KENLY KIYA KATO, UNITED STATES MAGISTRATE JUDGE**

DEB TAYLOR

Not Reported

Deputy Clerk

Court Reporter

Attorney(s) Present for Plaintiff(s):

Attorney(s) Present for Defendant(s):

None Present

None Present

**Proceedings: Order Denying Motion to Compel Without Prejudice [Dkt. 38]**

On March 21, 2019, Plaintiff Daniel Lopez (“Plaintiff”) filed a Motion to Compel Defendants James M. Scully and Heyshin Kim Scully (“Defendants”) to respond to Requests for Production of Documents, Set One, and Interrogatories, Set One (“Motion”). Dkt. 38. Plaintiff served the Motion on Defendants by U.S. Mail and email on March 25, 2019. See Dkt. 39. However, Plaintiff set the Motion for hearing on April 18, 2019. Dkt. 38. Therefore, Plaintiff failed to serve the Motion sufficiently in advance of the hearing date as required by Local Rule 6-1. See L.R. 6-1 (“If mailed, the notice of motion shall be served not later than thirty-one (31) days before the Motion Day designated in the notice.”); see also L.R. 37-2.4 (When a discovery motion is filed with a declaration establishing opposing counsel failed to confer in a timely manner in accordance with L.R. 37-1, “then L.R. 6-1, 7-9 and 7-10 apply”). Hence, Plaintiff’s Motion is denied without prejudice.

**IT IS SO ORDERED.**