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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

PUNAOFO TSUGITO TILEI

CASE NO. 1:06-cv-00776-OWW-GSA PC

Plaintiff,

ORDER STRIKING DISCOVERY REQUEST

v.

(Doc. 45)

T. WAN, et al.,

Defendants.

On April 9, 2009, Plaintiff's request for the production of documents directed to Defendant Cooper was erroneously filed rather than returned to Plaintiff. Discovery requests are not to be filed with the Court until and unless they are at issue, such as in a motion to compel. In this instance, on July 17, 2009, Plaintiff subsequently filed a motion to compel Defendant Cooper to respond to his request for the production of documents, but the motion to compel includes a copy of the discovery request as Exhibit B, as is appropriate.

Therefore, the request for the production of documents filed on April 9, 2009, is HEREBY ORDERED STRICKEN from the record.

IT IS SO ORDERED.

Dated: January 20, 2010

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE