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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA – FRESNO DIVISION

CARL L. JIMENA,

Plaintiff,

v.

UBS AG BANK, INC., SWITZERLAND
HEADQUARTERS, et al.,

Defendants.

CASE NO. 1:07-cv-00367-OWW-SKO

**ORDER FOR JOINT STATEMENT
RE DISCOVERY DISAGREEMENT**

On June 7, 2010, Plaintiff Carl L. Jimena ("Plaintiff") filed (1) a "Motion to Compel UBS AG to Give its Consent for Yahoo[!] Inc. to Disclose Clive Standish['s] Two email Address[es]" ("Motion to Compel Consent") (Doc. 211) and (2) a "Motion to Compel UBS for Production of Exhibit[s] 15 and 16" ("Motion to Compel Production") (Doc. 212). On August 27, 2010, this Court issued a decision with regard to both the Motion to Compel Consent and the Motion to Compel Production. (Doc. 262.) On September 23, 2010, the District Court ordered that the August 27, 2010, order be reconsidered only with respect to Plaintiff's Motion to Compel Production (Doc. 212). (Doc. 268.)

In presenting this matter to the Court initially, the parties were permitted to file separate statements based on their representation that they were unable to provide the Court with a Joint Statement re Discovery Disagreement ("Joint Statement") as required by Local Rule ("L.R.") 251(c).

1 To assist the Court in reconsidering this matter, the parties are ordered to meet and confer regarding
2 Plaintiff's Motion to Compel Production. L.R. 251(b). The parties shall also file a Joint Statement
3 limited to not more than 30 pages. L.R. 251(c).

4 The Joint Statement shall methodically set forth (1) each disputed discovery request, (2) the
5 response received, (3) the propounding party's argument why the response is inadequate, and (4) the
6 responding party's argument why the response is adequate or why further response is not required.

7 The parties shall specifically address the evidentiary objections to the joint declaration of Saumya
8 Bhavsar and Patrick Mathieu (Doc. 242) raised in Plaintiff's August 10, 2010, "Responses and
9 Objections to Defendants [sic] Joint Statement to Plaintiff's Doc. 211 and 212" (Doc. 250). Should
10 a new declaration be necessary to address Plaintiff's objections, such a declaration may be filed by
11 UBS AG Bank, Inc. ("UBS") in conjunction with the Joint Statement.

12 For ease of reference, as exhibits to the Joint Statement, the parties shall attach a copy of
13 Plaintiff's Request for Production of Documents that is the subject of Plaintiff's Motion to Compel
14 Production and a copy of the responses that were served by UBS.

15 The Joint Statement shall be filed on or before October 13, 2010.

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17 IT IS SO ORDERED.

18 **Dated: September 27, 2010**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

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