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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

| | | |
|------------------------------------|---|-------------------------------|
| ZANE HARDIN, |) | 1:08-cv-00617 AWI GSA |
| |) | |
| Plaintiff, |) | ORDER RE PLAINTIFF’S EX PARTE |
| |) | APPLICATION FOR LEAVE TO FILE |
| v. |) | OBJECTIONS TO DEFENDANT’S |
| |) | MOTION |
| |) | |
| WAL-MART STORES, INC., and DOES 1- |) | (Document 66) |
| 100, inclusive, |) | |
| |) | |
| Defendants. |) | |
| |) | |

On July 20, 2010, this Court took Defendant’s motion regarding expert disclosure and testimony of Plaintiff’s expert witnesses (Doc. 55) off calendar and under submission pursuant to Local Rule 230(g). (Doc. 65.) On August 2, 2010, Plaintiff filed “Plaintiff’s Application, Declaration and Objection Re Defendant Wal-Mart’s Motion to Prohibit Expert Witnesses or to Compel Proper Disclosure and for Additional Time for Discovery.” Plaintiff indicates he is making an “exparte [sic] application for leave to file an objection to Defendant’s motion because “it has come to the attention of [Plaintiff]’s counsel that Defendant Wal-Mart’s Motion did not comply with LR-251 . . .” (Doc. 66.)

1 Any objection is clearly untimely. Defendant's motion was originally calendared for July
2 9, 2010 (Doc. 55), the Court then continued the hearing to July 23, 2010 due to its unavailability
3 (Doc. 57), and subsequently took the matter off calendar and under submission on July 20, 2010.
4 Moreover, Plaintiff fails to offer good cause for his delay. Plaintiff's ex parte application is
5 therefore DENIED.

6 IT IS SO ORDERED.

7 Dated: August 4, 2010

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE