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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

ROCKY MOUNTAIN FARMERS UNION,
REDWOOD COUNTY MINNESOTA CORN
AND SOYBEAN GROWERS, PENNY
NEWMAN GRAIN, INC., GROWTH ENERGY,
RENEWABLE FUELS ASSOCIATION, REX
NEDEREND, FRESNO COUNTY FARM
BUREAU, NISEI FARMERS LEAGUE, and
CALIFORNIA DAIRY CAMPAIGN,

CASE NO. CV-F-09-2234 LJO DLB

**COURT'S RESPONSE TO
FEBRUARY 8, 2011 STATUS
REPORT**

Plaintiffs,

vs.

JAMES N. GOLDSTENE, Executive Officer
of the California Air Resources Board,

Defendants.

and related intervenor and consolidated
actions and amici curiae.

The Court has read and reviewed the parties joint status report, and its attached exhibits, filed on February 8, 2011. The Court notes that the status report acknowledges discovery disputes between certain parties, and contains certain requests. No motions or stipulations, however, are presented to this Court. To the extent the parties have a discovery dispute that must be resolved by Court action, the parties must make the appropriate motion and present that motion to the appropriate judge. To the extent a party desires to make a request that affects a Court order currently in effect, that party must make that request through an appropriate motion or stipulation. Because no motions or

1 stipulations/proposed orders have been presented to this Court, this Court takes no action. Accordingly,
2 the briefing schedule contained in this Court's January 14, 2011 Order on Defendants' and Intervenors
3 Fed. R. Civ. P. 56(d) Motion remains in effect.

4 This Court has noticed the propensity of counsel to file volumes of documents with each motion.
5 Despite the volume of paperwork presented, the parties either ignore or give short shrift to the relevant
6 grounds for each request or the relief requested. This Court requires succinct brevity. The Court has
7 no option but to enforce that requirement based on its caseload. Accordingly, should the parties file
8 further motions, those motions shall be clear and succinct as to the grounds for the motion and the relief
9 requested.

10 In addition, this Court grants continuances only upon a demonstration of good cause. This Court
11 has granted one continuance, and continued the briefing schedule for the five pending motions for
12 summary judgment and preliminary injunction, based on the parties' request and proposal. Further
13 requests to continue must be supported by good cause, shall be specific to a particular motion, and
14 should propose a course of action that contemplates that future continuances shall be looked upon with
15 disfavor.

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17 IT IS SO ORDERED.

18 **Dated:** February 10, 2011

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE

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