1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 9 EASTERN DISTRICT OF CALIFORNIA 10 11 CARRIE HAWECKER, et al., Case No.: 1:10-cv-00085 - AWI - JLT 12 Plaintiffs, ORDER GRANTING PLAINTIFFS HAWECKER'S AND BROUSSARD'S REQUEST FOR AN 13 v. ORDER SHORTENING TIME TO HEAR MOTION TO AMEND SCHEDULING ORDER AND 14 RAWLAND LEON SORENSON, MOTION TO COMPEL 15 Defendant. (Doc. 133, 134) 16 17 UNITED STATES OF AMERICA, 18 Plaintiff, 19 v. 20 RAWLAND LEON SORENSON, 21 Defendant. 22 23 On May 4, 2012, the individual Plaintiffs filed a motion to amend the scheduling order to allow 24 14 additional days to file a motion to compel Defendant to provide the records and responses to 25 discovery. (Doc. 133) This discovery was the subject of an earlier motion to compel, which was 26 granted in part on April 16, 2012. (Doc. 107) Plaintiffs report that Defendant has failed to comply 27 with the Court's order. (Doc. 133)

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Notably, in the original scheduling order, the Court ordered that non-dispositive motions, including discovery motions, were to be filed no later than March 16, 2012. (Doc. 95 at 7) Though the scheduling order was amended twice (Docs. 100, 114), the Court was never asked to amend the order as it related to the filing of non-dispositive motions and the date for doing so has never been extended.

In any event, good cause appearing, the Court **ORDERS**:

- 1. Plaintiffs' request for an order shortening time is **GRANTED**;
- 2. Plaintiffs' are relieved of their obligation to participate in a pre-filing conference with the Court before filing their motion to amend the scheduling order and their discovery motion;
- 3. Plaintiffs **SHALL** file their motion to amend the scheduling order¹ concurrently with their discovery motion no later than May 11, 2012². Plaintiff **SHALL** serve the motion(s) to Defendant via overnight mail, so that it is delivered no later than May 11, 2012;
 - 4. Opposition to the motion(s), **SHALL** be filed no later than May 21, 2012;
 - 5. No reply **SHALL** be filed;
- 6. The motions **SHALL** be heard on May 25, 2012 at 8:30 a.m., at the United States Bankruptcy Courtroom located at 1300 18th Street, Bakersfield, California. Counsel are encouraged to appear by telephone. Should they choose to do so, they SHALL notify the Court of this intention via an e-mail to JLTOrders@caed.uscourts.gov, no later than May 18, 2012.

IT IS SO ORDERED.

Dated: May 7, 2012 /s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE

¹ The Court will first consider whether Plaintiff's have demonstrated good cause to amend the scheduling order to allow a non-dispositive motion to be considered out-of-tome. Only if this showing is made, will the Court consider the discovery motion.

² Counsel is reminded that pretrial, nondispositive motions are to be heard by Judge Thurston rather than Judge Ishii.