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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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|-------------------------------|---|----------------------------------|
| KEVIN EUGENE SIMMONS, |) | 1:10-cv-1331 LJO GSA |
| Plaintiff, |) | ORDER REGARDING MOTION TO |
| v. |) | COMPEL |
| RITE OF PASSAGE ATHLETIC |) | |
| TRAINING CENTERS AND SCHOOLS, |) | (Document 23) |
| et al., |) | |
| Defendants |) | |

Plaintiff filed a Motion to Compel on December 13, 2011. (Doc. 28). On December 15, 2011, this Court ordered that that parties file a joint statement regarding discovery disputes no later than seven days prior to the January 13, 2012 hearing date. (Doc. 30). To date, no joint statement has been filed. Since Plaintiff alleges Defendant's complete failure to respond to the discovery requests, it is unclear whether a joint statement was not filed pursuant to Local Rule 251(e), or whether the issue is resolved. Plaintiff shall advise the Court of the status of this motion. If the issue is resolved, Plaintiff shall file a notice of withdrawal of the motion. Similarly, Plaintiff shall advise the Court if there has been no response by Defendant. The status report SHALL be filed **no later than 12:00 pm on January 10, 2012**. Failure to timely provide

1 the Court with the status report as ordered will result in a denial of this motion and removal of
2 this matter from the Court's calendar.

3 IT IS SO ORDERED.

4 **Dated: January 9, 2012**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE

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