

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

DENISA DIXON,)	Case No.: 1:11-cv-01290 AWI JLT
)	
Plaintiffs,)	ORDER DENYING MOTION FOR JUDICIAL
)	NOTICE AND MOTION TO COMPEL
v.)	DEFENDANTS TO COOPERATE IN
)	DISCOVERY
BPD OFFICERS WESBROOK, et al.,)	
)	(Doc. 24)
Defendant.)	
_____)	

On March 12, 2012, Plaintiff filed a motion for the Court to take judicial notice and a request that the Court order Defendants to cooperate with discovery efforts related to the identities of certain bounty hunters. (Doc. 24) Notably, however, Plaintiff fails to identify the material of which she request judicial notice. Likewise, Plaintiff does not explain why she believes this evidence may be introduced at this time.

Moreover, though difficult to discern Plaintiff’s specific purpose in filing the motion, it appears that Plaintiff is seeking the Bakersfield Defendants’ assistance in identifying and locating the bounty hunters she claims improperly entered her home on January 6, 2011. (Doc. 24 at 1) However, Plaintiff is advised that, according to Fed. Rule Civ. P. 26(d), discovery may not begin until after the parties have completed the conference required by Fed. R. Civ. P. 26(f). This conference must occur

1 at least 21 days before the scheduling conference which, in this case, is May 16, 2012.¹ (Doc. 19)
2 Moreover, Plaintiff is advised that the initial disclosures that are required to be made under Fed. R.
3 Civ. P. 26(a) are not required to be made until “at or within 14 days after the parties’ Rule 26(f)
4 conference.” Fed. R. Civ. P. 26(a)(C).

5 Therefore, the motion for judicial notice and to compel Defendants to cooperate with
6 discovery is **DENIED**.

7
8 IT IS SO ORDERED.

9 Dated: March 19, 2012

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

27 ¹ In light of the pending motion to dismiss, whether the scheduling conference will go forward on May 21, 2012,
28 will depend upon whether the complaint withstands dismissal or, if it does not, whether there is an operative pleading on file
by that time.