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

THOMAS GOOLSBY,

Plaintiff,

v.

J. GENTRY, et al.,

Defendants.

Case No. 1:11-cv-01773-LJO-DLB
ORDER DENYING PLAINTIFF’S MOTION
FOR SANCTIONS
(Document 109)

Plaintiff Thomas Goolsby (“Plaintiff”) is a prisoner in the custody of the California Department of Corrections and Rehabilitation (“CDCR”). Plaintiff is proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds against Defendants Gentry, Noyce, Eubanks, Tyree, Medrano, Holman, Holland and Steadman for retaliation in violation of the First Amendment.

On May 4, 2015, Plaintiff filed a motion for sanctions in the amount of \$48.10. Defendants did not file an opposition and the matter is suitable for decision. Local Rule 230(1).

Pursuant to Rule 37(a)(5)(A), if a motion to compel disclosures is granted, “the court must, after giving an opportunity to be heard, require the party . . . whose conduct necessitated the motion . . . to pay the movant’s reasonable expenses incurred in making the motion, including

1 attorney's fees. Discovery sanctions are appropriate only in "extreme circumstances" and when
2 the violation is due to willfulness, bad faith, or fault of the party. Fair Housing of Marin v.
3 Combs, 285 F.3d 899, 905 (9th Cir. 2002).

4 In his request, Plaintiff seeks sanctions in the amount of \$48.10, which is the amount he
5 contends will cover his out-of-pocket expenses in bringing the October 17, 2014, motion to
6 compel. Plaintiff is correct that the Court granted many of his requests. Although the Court
7 ordered Defendants to provide further responses, it does not necessarily mean that Plaintiff is
8 entitled to sanctions. Plaintiff served almost more than 150 discovery requests, and the Court
9 finds nothing in the way in which Defendants responded to warrant sanctions.

10 Plaintiff also argues that Defendants' counsel refused to talk to Plaintiff or otherwise
11 attempt to resolve the discovery disputes. However, while meeting and conferring is encouraged,
12 it is not required in prisoner cases.

13
14 IT IS SO ORDERED.

15 Dated: May 28, 2015

/s/ Dennis L. Beck
16 UNITED STATES MAGISTRATE JUDGE